

Mary Levering  
Associate Register for National Copyright Programs

April 5, 2002

Jewel A. Player  
Chief, Copyright Acquisitions Division

**CAD Annual Report for Fiscal Year 2001**

Attached for your information is CAD's Annual Report for Fiscal Year 2001. This report was a collaborative effort by the entire CAD staff. Any questions or comments you may have should be addressed to me via email at [jpla@loc.gov](mailto:jpla@loc.gov) or by phone, 7- 6781.

Thank you.

JAP/pls

**Attachments**

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cc: w/copy of attachments:

Marybeth Peters, CO  
Winston Tabb, LS  
Nancy Davenport, LS  
Michael Albin, LS  
Don Panzera, LS  
Robert Dizard, CO  
CO Division and Office Chiefs:  
CAG, CAT, Exam., I&R, Lic., OGC, R&P  
CAD Staff members  
CAD File

**Copyright Acquisitions Division (CAD) Summary  
Copyright Office Annual Report  
FY 2001**

- **CAD Acquisitions Summary:**

(a) Formal Demands and Informal Requests: During FY2001 CAD submitted mandatory deposit demands for 3,439 titles. Of these titles, 1,886 titles were recommended by CAD librarians, 1,358 were recommended by LC Recommending Officers, and 195 titles were Congressional requests.

(b) Mandatory Deposits Transferred to LC for FY 2001: During FY 2001, the Copyright Office, through the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 278,035 pieces received under mandatory deposit to the Library. The estimated value of works transferred was \$4,919,356.22 when using the average unit prices supplied by Library Services.

- **Khayyam Publishing**, whose noncompliance had been referred to the Department of Justice (DOJ) in November 2000, complied with the terms of the settlement drafted by the DOJ by depositing the required copies for all available issues of “**Advances in Differential Equations**.” In addition to the issues demanded, the publisher also sent two copies each of the monthly issues published May-August 2001. The Library now has the complete run of this serial title, dating back to Vol. 1, No. 1, 1996, for an estimated value of \$9,828.
- **Substitute Copyright Deposits for Purchase**: During this fiscal year several meetings were held with LS Acquisitions Directorate to discuss the impact and feasibility of canceling purchased serial subscriptions in favor of reliance upon copyright deposits. While there are several issues to be resolved, this initiative could represent a potential saving to the library of more than \$500,000 dollars.
- **Substitute Selection Officer Training**: Senior Acquisitions Specialists, George Cru and Cecile Horowitz completed hands-on training with LC Selection Officers--Judy Herrick, Lolita Silva and Hartley Walsh. This training certified Ms. Horowitz and Mr. Cru to serve as substitute LC Selection Officers in the absence of either of the three selecting officers.
- **Discontinue Unwanted Deposits**: During fiscal year 2000, CAD working with the Serial Record Division (SRD) began an initiative to discontinue the deposit of serial titles that were not retained for the Library's collections. CAD staff issued 1,651 letters, completely waiving or reducing the copyright deposit requirements (from 2 to 1 copy) for 1,176 titles received through mandatory deposit.
- **CD-ROM Deposit Agreements**: Four new CD-ROM agreements were signed this fiscal year bringing the total number of agreements to 280 (80 Central File Server and 200 Stand Alone Agreements). The CD-ROM Deposit Letter was revised and updated in

April. The revised language encourages publishers to take advantage of the security features offered by the "*Central File Server Agreement*" as opposed to the "*Stand Alone Agreement*."

- **Expedited Serials Deposits ("Speedy Serials"):** The Congressional Research Service (CRS) and the Law Library continue to depend upon CAD's Speedy Serials Project for the expedited delivery of this small select group of serial titles to the Serial and Government Publications Division and the Law Library. Serial Record Division (SRD) reported as of March 23, 2001, that the serials conversion contractor had completed the ILS conversion of all speedy titles that met the parameters of the contract. Of the original 350 titles included in this project, 222 titles have been converted and may now be checked in via the ILS and another 21 titles have ceased publication.

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Attached for your information is CAD's Annual Report for Fiscal Year 2001. This report was a collaborative effort by the entire CAD staff. Any questions or comments you may have should be addressed to me via email at *jpla@loc.gov* or by phone, 7- 6781.

Thank you.

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CO Division and Office Chiefs:  
    CAG, CAT, Exam., I&R, Lic., OGC, R&P  
CAD Staff members  
CAD File



**COPYRIGHT ACQUISITIONS DIVISION  
FY2002 ANNUAL REPORT**

Date: December 20, 2002

**FISCAL YEAR HIGHLIGHTS:**

**Summary of Acquired Works:** During FY 2002 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 390,150 pieces received under mandatory deposit to the Library. Through the demand process CAD acquired 2,956 titles, consisting of 7,869 pieces.

**Publisher Reviews and Follow-ups:** CAD librarians successfully completed 48 publisher reviews and 31 follow-up reviews. A listing of the individual reviews and follow-ups are listed in Attachment 4.

**Unwanted Serial Deposits:** One thousand six-hundred seven (1,607) discard letters were mailed this fiscal year waiving or reducing the deposit requirement of 2,145 serial titles deposited with the Copyright Office but not retained by the Library.

**Newspaper Microfilms:** CAD received 1,243 microfilm reels (approximately 271 titles) for delinquent newspaper titles or as replacement reels due to wrong formats and issue dates. This represents a significant increase from FY 2001 when only 320 reels were received.

**Special Relief:** PRS (Political Risk Services) Group produces a series of time sensitive reports which all had received a retention status of "Current Issues Only." The Group requested and was granted special relief from depositing the large volume of individual loose leaf print issues of these publications in exchange for providing the Library online access to their publications. The online access replaces The Country Report Series, 100+ loose leaf printed reports of country analyses; and 140+ Country Forecasts and Political Risks analyses reports. Together, these reports represented an annual accumulation of at least 240 loose leaf reports.

**PART I. ELEMENT: Mission Effectiveness--Major Activities****1. Acquire works for LC's collections:****Summary of Mandatory Deposits Transferred to LC for FY 2002**

As indicated in Table 1, during FY 2002 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 390,150 pieces received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$9,239,702 when using the average unit prices supplied by Library Services.

**Table 1**

<b>Mandatory Deposits</b> <b>Total Number of Pieces and Estimated Value of</b> <b>Materials Transferred to LC</b> <b>FY 2002</b>		
Format	Pieces Transferred	Estimated Value
Books	35,515	\$2,129,805
Serials	313,363	\$4,804,570
Computer Products	2,858	\$1,776,624
CORDS Deposits	33,741	\$128,196
Motion Pictures	448	\$317,503
Music	1,262	\$41,684
Sound Recordings	2,855	\$38,286
Maps	11	\$373
Prints, Pictures & Works of art	97	\$2,661
<b>TOTAL</b>	<b>390,150</b>	<b>\$9,239,703</b>

**Summary of CAD Acquisitions Activities:** This fiscal year CAD acquired 2,956 titles, consisting of 7,869 pieces. Of the titles acquired, 2,216 titles (6,783 pieces) were sent in response to demands and informal requests and 740 titles (1,086 pieces) were sent voluntarily along with titles requested by CAD. The value of the materials acquired totaled \$884,378 and registration fees generated by CAD's activities amounted to \$28,629.

Table 2 below provides a summary of CAD's acquisitions for FY 2002.

**Table 2**

<b>SUMMARY OF CAD ACQUISITIONS STATISTICS</b> <b>FY 2002</b>	
Titles Received	2,956
Pieces Received	7,869
Value of Works Received by CAD	\$884,378
Registration Fees Generated	\$28,629
LC & Congressional Recommendations	1,794
Titles Demanded/Requested	3,967
Titles Dropped/Replaced	94
Follow-up Actions	3,623

- **LC and Congressional Recommendations for Acquisitions:** This fiscal year CAD received 1,794 LC requests. Of the 1,794 requests, 269 were Congressional recommendations received from LC's Loan Division. Two thousand three hundred fifty-two (2,352) requests were assigned for processing this fiscal year. This figure includes the 269 "congressionals" which were assigned at the time of receipt. CAD's backlog by the end of the FY remained around 2,120 items.
  - **Formal Demands and Informal Requests:** Three thousand nine hundred sixty-seven (3,967) titles were requested this fiscal year. Of these, 2,779 titles were requested through the formal demand process, and 1,188 titles were requested informally. Of the 3,967 titles demanded approximately 2,161 were LC recommendations and 1,806 were CAD initiated.
  - **New serial titles:** This fiscal year, CAD informally requested 319 new serial titles for the Library's collections.
  - **Publisher Reviews and Follow-ups:** CAD librarians successfully completed 48 publisher reviews and 31 follow-up reviews. These reviews established effective relationships between the CAD librarians and the publishers involved as well as reminding or informing them of their mandatory deposit requirements. A listing of the individual reviews and follow-ups are listed in Attachment 4.
- 2. Discontinue Unwanted Deposits:** One thousand six-hundred seven (1,607) discard letters were mailed this fiscal year waiving or reducing the deposit requirement of 2,145 serial titles deposited with the Copyright Office but not retained by the Library. Of the 2,145, 686 were being sent under Section 407 of the law, 1,307 titles under Section 408, and 152 under Group Registration.

### **3. Special Acquisitions Projects and Agreements and Electronic Resources**

- **CD-ROM Acquisitions and Agreements.**  
**New Agreements this FY:** 4 (Central File Server Agreements)

**Existing Agreements Count (1993 to present): 284**

Central File Server	84
Stand Alone	200

- **Group Registration (§408) Deposits.**

◆ **Copyright Serials Consultant:** This fiscal year the Copyright Serials Consultant worked 1,524 hours. She has completed the necessary clean up to the converted ILS records for both the group registration and the speedy serial titles. With the completion of the clean up during the fourth quarter, she was able to assume the responsibilities of checking in all “speedy” titles via the LC ILS. Thanks to her efforts, CAD will actually be able to begin claiming individual missing issues of “speedy” titles during the first quarter of FY2003.

◆ **Statistics:** The total number of group registration titles including discards (and ceased titles) title is approximately 5,091 titles. Of these, approximately 39% or 1,973 titles were converted for ILS check-in. The remaining titles have not been converted either because they are not retained by LC, or because issues were not received in the past several years. This fiscal year, 323 new titles were registered under Group Registration. Of the 323 titles, only 30 were new to LC and the remaining titles changed from being registered as single issues to group registration.

- ◆ **Progress Made on Conversion of Group Registration Titles:**

SUMMARY GROUP REGISTRATION STATISTICS					
Category	1Q	2Q	3Q	4Q	Total
Total titles by end of quarter	4,880	4,947	5,018	5,091	
Titles retained by LC by end of quarter	2,436	2,449	2,496	2,537	
Titles with online ILS check in records	n/a	n/a	1,742	1,973	
Issues received	6,272	4,377	18,802	21,406	50,857
New titles to Group	74	73	104	72	323
Titles “new to LC” received through Group	9	1	5	15	30
Titles converting from single to Group Registration	65	72	99	57	293

- **Speedy Serials:** The Copyright Acquisitions Division (CAD) has completed a thorough review of 365 titles which are currently included in the “Expedited Deposits Project” (a.k.a. “Speedy Serials”) which officially began in January 1996. Of the total population, 266 titles have been converted to the LC ILS for on-line check-in and appear to be active and fairly current in receipt of issues. Thirty-two (32) titles have ceased publication.

Sixty-seven (67) titles remain that are not being actively received, 25 have been converted to the ILS but have limited or no issues checked-in, the remaining 42 titles have not been converted which suggest that no copyright deposit issues have been received since 1998 or earlier. During FY2003, CAD will begin to claim all missing issues and titles.

- **Newspaper Microfilms:** During FY 2002, CAD received 1,243 microfilm reels (approximately 271 titles) for delinquent newspaper titles or as replacement reels due to wrong formats and issue dates. These copyright receipts represent a total savings of \$92,779 for LC and generated \$25,730 in copyright registration fees for the Copyright Office. This represents a significant increase from FY 2001 when only 320 reels were received with an estimated value of \$25,557. This increase is due to the dedication and hard work of Acquisitions Specialist Julia Leggett.

**4. Special Relief:** PRS (Political Risk Services) Group produces a series of time sensitive reports which all have received a retention status of "Current Issues Only." PRS contacted CAD requesting permission to provide online access to their services instead of continually depositing the paper looseleaf issues. Coincidentally, LC's serial selection officer had expressed the ultimate desire of receiving all CIO's electronically instead of via paper. PRS has agreed to provide the Library of Congress with 10 years of access to [www.prsonline.com](http://www.prsonline.com) and [www.icrgonline.com](http://www.icrgonline.com). These 2 services replace The Country Report Series a print loose leaf format of country analyses; and Country Forecasts and Political Risks analyses reports. PRS online replaces 100+ loose leaf print format reports. ICRG online replaces approximately 140+ print reports. Online access to this information provides immediate and current access for LC users. Replacement of print format reduces costs of processing loose leaf publications and frees valuable shelf space. This online access has an estimated total value of \$115,900 for the Library.

**5. Receiving, Recording and Transferring to LC 407 Deposits:** The Compliance Records Unit (CRU) created 25,689 records for a variety of library materials received through mandatory deposit. During this fiscal year, there was an average of 2 book carts of Section 407 deposits on hand waiting to be processed.

## **II. Program Management:**

### **1. Personnel Management:**

**Appointments:** Ms. Pamela Shields was selected to fill the GS-301-9, Special Assistant position. Ms. Shields comes to CAD from the United States Capitol Police Training Services Bureau. Mrs. Lily Sun and Mrs. Iliana Mitropolitsky were selected to fill the GS-1411-7/8 Serials Technician position. Mrs. Sun comes to CAD from the Chinese-Japanese Section of the African/Asian Acquisitions and Overseas Operations Division (AFAOVOP) in Library Services. Mrs. Mitropolitsky comes to us from LSSI (Library Systems and Services, a contractor with the Library Services Serial Records Division.

Ms. Jannease Brown was selected to fill the GS-1411-5/6/7, Library Technician Trainee (Copyright Deposits ) position. Ms. Brown comes to CAD from the Copyright Receiving and Processing Division, Receipt Analysis Control Center(RACC). Ms. Nichole Sterling, a sophomore at High Point University joined CAD for the summer to assist in a number of special projects.

- **Awards:**

(b) (6)

(b) (6)

- **Promotions:** Julia Leggett, CAD's Affirmative Action Intern(AAIP), was promoted to the GS-1410-11 level of the Acquisition Specialist ladder in January 2002. Bernard Mercer was promoted to the GS-1410-12 Senior Level of the Acquisition Specialist promotion plan in August 2002. Ava Everett, was promoted to the GS-1410-11 level of the Acquisitions Specialist promotion plan in August 2002. Lily Sun was promoted to the GS-1411-08 level of the Serials Technician ladder in June 2002. Gladoria Young was promoted to the GS-1411-8 level of the Library Technician ladder in May 2002. Michael Bush was promoted to the GS-1411-6 level of the Library Technician (Deposits Technician) promotion plan in July 2002. Keisha Green was promoted to the GS-1411-6 level of the promotion plan for the Acquisition Processing Assistant in December 2001. High school work study student Mr. Robert Harmon was promoted to the GS-303-2, Worker-Trainee(Clerk) in June 2002.
- **Transfers:** During the last quarter of FY 2002, CRU Deposits Technician Audrey Livingston was selected for the position of Copyright Specialist (General) GS-1210-7/9/11, within the Literary Section of the Copyright Cataloging Division.

## 2. Productivity and Workload/Workflow:

- **U.S. Postal Mail**

As a result of the anthrax mail incident on Capitol Hill, delivery of all U.S. Postal mail was discontinued to the Library on October 19, 2001. As a result of this, during the first two quarters of the fiscal year there was a significant decrease in the receipt of voluntary,

mandatory deposits and deposits sent in response to a CAD demand. Many deposits sent by private special mode carriers delivered while the Library was closed from October 18-24, 2001, were returned to shippers. All of this caused a significant amount of confusion for our depositors and frustration for the staff.

The receipt of U.S. Postal mail resumed by the end of March. Initial receipts were flats and basically thousands of serial issues. The CAD staff immediately noticed the obvious damage due to irradiation, some items remained useable while others were severely damaged and could not be used. Following the guidelines established by the LS Acquisitions Directorate, a procedure was implemented to identify damaged materials using the LC ILS for future replacement of copyright deposits by purchase. To accommodate the additional workload of processing the large volume of delayed mail, several members of CAD staff worked overtime hours from March until the end of the fiscal year.

- **CAD/CIP Work Flow:** During the FY CAD and CIP developed procedures to simplify the transfer of demanded works from CAD to CIP. Since many of the items demanded by CAD were not works participating in the CIP program, sending these items to CIP created unnecessary work for the CIP staff. Under the new procedures, these non-CIP works or items that were considered duplicates were processed to allow them to be routed to the appropriate cataloging teams.

**3. Automation:** During the 2<sup>d</sup> quarter of the year, in preparation for installing Voyager 2000 release for the LC ILS, 12 PCs in CAD were upgraded to Windows 2000 while six other PCs were replaced by Library Services with new PCs. Both the Win 2000 and the Voyager 2000 software installation were completed by Library Services. Later during the 4th quarter in an initiative to upgrade the remaining staff computers, 21 new Win 2000 CPUs were installed.

Additionally, in an attempt to simplify CAD's automation support, as a result of a joint meeting with CAD's Chief, the COP Automation Group (CAG), and LS Automation Planning Liaison Office (APLO), it was decided that CAD will continue to receive joint support from both service units; however, for technical assistance other than ILS problems CAG will serve as the initial point of contact and all referrals to APLO will be through the CAG. This referral process will provide better control for the analysis of hardware and software problems assuring that the appropriate corrective action is implemented.

#### **4. Staff Training and Professional Development:**

- **TPAIO / ILS Related Training:** Voyager 2000 Irradiation Macro Training, Introductory and Advanced Publication Patterns, V2000 Serials Skillbuilder: Creating Additional Check-In Components, V2000 Serials Skillbuilder: Creating Purchase Orders and Components, Voyager 2000 Acquisitions Skillbuilder: Define, Navigation, Searching, Ledgers, Voyager 2000 Acquisitions Skillbuilder: Vendor Received, Purchase Orders, Invoices, RLG Eureka Search Demo, Publications Pattern Group, Monographs Selections, Win 2K Skillbuilder: Creating and Managing Files, Task Manager, Ctrl-Alt-Delete, Desktop and Customizing, Y2K Voyager Training (for Serials), Serials Check-In Orientation, Irradiation Macros for Acquisitions, Introduction to Internet Technologies, Demo on V2000 Acquisitions Module, Demo on V2000 Cataloging/Staff Search, MARC for Non-Catalogers, Macro Express: Intermediate, and Condition Evaluation of Irradiated Collective Materials
- **LCIU Training:** Mandatory Security Computer Awareness Phase One and Two, Retirement Seminar, Presentation Skills, AVUE Structured Interview Training, Introduction to GroupWise 5.5, Microsoft Access 2000: Level One, Microsoft Excel: Level One, Microsoft Excel: Level Two, Effective Customer Service, Windows 2000 Intro, Cascading Style Sheets, Get a Grip on Grammar, and Dreamweaver/Homesite-Basic
- **Other Job-Related Training:** USDA, Graduate School - Briefing Techniques, USDA, Graduate School - Federal Budgets for Non-Budgeting Personnel, Power and Success Strategies for Women, FLICC- Institute for Federal Library Technicians
- **Conferences and Meetings:** CAD staff members attended the following off-site conferences: Computers in Libraries Conference, March 2002; Annual Conference of the Association of Asian Studies, April 2002; ALA Mid-Winter, January 2002; and ALA Annual Conference, June 2002

### **III. EEO / Affirmative Action**

- **Affirmative Action Intern Program (AAIP):** Julia Leggett, Copyright Acquisitions Specialist graduated from the Affirmative Action Intern Program during this fiscal year. Additionally, Mrs. Leggett was also promoted to the GS-1410-11 level of her promotion ladder. Mrs. Leggett is an excellent example of the quality of LC technicians participating in the Affirmative Action Intern Program.



- **RACC Details:** Throughout this fiscal year CAD sponsored a series of developmental training opportunities for members of the COP Receipt Analysis and Correspondence Control Section (RACC). The purpose of the details were to give participants the opportunity to acquire the minimal skills that would help them to compete for other positions within the Copyright Office. As a result of the experience gained, Jannease Brown was selected for the position of Copyright Deposit Technician.

#### **IV. Special Assignments:**

- **BPR Implementation:** During this fiscal year a significant amount of time was spent on BPR related initiatives, planning the implementation of the recommendations of the CPR Working Group, completing a recommended organizational structure to support the new processes and participating on several Joint Issues Groups with representatives of Library Services. The work performed by CAD has been named the "Acquire Deposits Process" (AD). As a result of the work of the implementation team, CAD staff will plan and implement three pilot projects: Recording Section 407 deposits in the ILS, CAD's Acquisitions Specialists performing selection for all Section 407 deposits, and utilization of an electronic LC request form.
- **BPR Joint Issues Groups:** Members of CAD Staff served on various Joint Issues Groups (JIG) with Library Services (LS) representatives to address those areas of the new COP processes that would impact LS. The JIGs along with PWC are working to streamline and improve processes to enhance the sharing of information between the two service units and to minimize the handling of deposits. In addition to the Serials JIG which was co-chaired by CAD's Chief, CAD also had staff representation on the Cataloging, Selection, and Labeling JIGs.
- **Outreach and Communications:** CAD's Chief presented a briefing about CAD's activities to Mrs. Merid Aberasher, librarian with the World Bank Library System, Ethiopia.

## Attachment 1

MANDATORY DEPOSIT PIECES AND ESTIMATED VALUE OF MATERIALS TRANSFERRED TO LC			
FORMAT	PIECES TRANSFERRED	AVG. UNIT PRICE <sup>1</sup>	ESTIMATED VALUE
<b>Books<sup>2</sup></b>	<b>35,515</b>		<b>\$2,129,805.07</b>
Ink Print	32,771	\$58.41	\$1,914,154.11
Microfilm	2,744	\$78.59	\$215,650.96
<b>Serials<sup>3</sup></b>	<b>313,363</b>		<b>\$4,804,570.90</b>
Periodicals	274,500	\$28.23	\$4,649,481.00
Ink Print Newspapers	36,000	\$93	\$20,088.00
Microfilm Newspapers	2,863	\$78.59	\$135,001.90
<b>Computer Products</b>	<b>2,858</b>		<b>\$1,776,624.44</b>
Software	143	\$26.08	\$3,729.44
CD-ROMs (includes CD-ROM Serials)	2,715	\$653.00	\$1,772,895.00
<b>CORDS DEPOSITS</b>	<b>33,741</b>		<b>\$128,195.81</b>
UMI	33,430	\$3.71	\$124,025.30
Sound Recordings	311	\$13.41	\$4,170.51
<b>Motion Pictures</b>	<b>448</b>		<b>\$317,502.84</b>
Videotapes	417	\$82.52	\$34,410.84
Feature Films	31	\$9,132.00	\$283,092.00
Music	1,262	\$33.03	\$41,683.86
Sound Recording	2,855	\$13.41	\$38,285.55
Maps	11	\$33.94	\$373.34
Prints, Pictures & Works of art	97	\$27.43	\$2,660.71
<b>**TOTAL**</b>	<b>390,150</b>		<b>\$9,239,702.52</b>

<sup>1</sup> Average Unit prices supplied by Library Services, Acquisitions Directorate. Average unit prices based on 2002 prices.

<sup>2</sup> Since 60% of "Books" are selected for LC's collections and 40% are used for the Library's exchange program, estimated value is 100%.

<sup>3</sup> Since only 60% of "Serials" are selected for LC's collections, only 60% of estimated value is entered for each serial category.

## Attachment 2

Copyright Acquisitions Division Cumulative Quarterly Report Through 4th Quarter 2002					
1. Titles Received	1 Q FY 2002	2Q FY 2002	3Q FY 2002	4QFY2002	Total to Date
1.1 Titles	241	761	473	741	2,216
1.2 Unsolicited Titles	64	280	159	237	740
1.3 Total	305	1,041	632	978	2,956
2. Pieces Received					
2.1 Pieces	970	2,783	1,045	1,985	6,783
2.2 Unsolicited Pieces	173	186	282	445	1,086
2.3 Total	1,143	2,969	1,327	2,430	7,869
3. Value of works received					
3.1 Value of works	\$63,737	\$396,300	\$85,205	\$188,564.30	\$733,806
3.2 Value of unsolicited works	\$11,427	34,983	\$69,684	\$34,478.00	\$150,572
3.3 Total	\$75,164	\$431,283	\$154,889.00	\$223,042.30	\$884,378
4. Registration Fees	\$3,510	\$8,340	\$8,970	\$7,809.00	\$28,629
5. Recommendations					
5.1 LC Recommendations	600	169	124	632	1,525
5.2 Congressional Recommendations	57	64	52	96	269
5.3 Total	657	233	176	728	1,794
6. Titles Demanded/Requested					
6.1 CAD Titles	363	426	299	612	1,700
6.2 LC Titles	383	332	905	444	2,064
6.3 Congressional Titles	47	39	47	70	203
6.4 Total	793	797	1,251	1,126	3,967
7. Titles Dropped/Replaced	15	15	40	24	94
8. Follow-up Actions					
8.1 Follow-Up Notices	514	199	113	99	925
8.2 Cases Referred to GC	0	0	5	10	15
8.3 Phone Calls/Faxes/E-mail	454	840	658	731	2,683
8.4 Total	968	1,039	776	840	3,623

## Attachment 3

Comparative Statistical Report FY 2002 vs 2001			
	FY 2002	FY 2001	FY2001/FY 2002 % change
<b>1. Titles Received</b>			
1.1 Titles	2,216	2,181	1.60
1.2 Unsolicited Titles	740	675	9.63
<b>1.3 Total</b>	<b>2,956</b>	<b>2,856</b>	<b>3.50</b>
<b>2. Pieces Received</b>			
2.1 Pieces	6,783	7,517	-9.76
2.2 Unsolicited Pieces	1,086	1,868	-41.86
<b>2.3 Total</b>	<b>7,869</b>	<b>9,385</b>	<b>-16.15</b>
<b>3. Value of works received</b>			
3.1 Value of works	\$733,806	\$872,459	-15.89
3.2 Value of unsolicited works	\$150,572	\$47,963	213.93
<b>3.3 Total</b>	<b>\$844,378</b>	<b>\$924,978</b>	<b>-8.71</b>
<b>4. Registration Fees</b>	<b>\$28,629</b>	<b>\$29,835</b>	<b>-4.04</b>
<b>5. Recommendations</b>			
5.1 LC Recommendations	1,525	4,238	-64.02
5.2 Congressional Recommendations	269	207	29.95
<b>5.3 Total</b>	<b>1,794</b>	<b>4,445</b>	<b>-59.64</b>
<b>6. Titles Demanded/Requested</b>			
6.1 CAD Titles	1,700	1,836	-7.41
6.2 LC Titles	2,064	1,358	51.99
6.3 Congressional Titles	203	195	4.10
<b>6.4 Total</b>	<b>3,967</b>	<b>3,449</b>	<b>15.02</b>
<b>7. Titles Dropped/Replaced</b>	<b>94</b>	<b>100</b>	<b>-6.00</b>
<b>8. Follow-up Actions</b>			
8.1 Follow-Up Notices	925	353	162.04
8.2 Cases Referred to GC	15	3	400.00
8.3 Phone Calls/Faxes/E-mail	2,683	1,961	36.82
<b>8.4 Total</b>	<b>3,623</b>	<b>2,317</b>	<b>56.37</b>

**Attachment 4**

**COMPREHENSIVE PUBLISHER'S REVIEWS**

A.A. Balkema  
Adams Media Corp  
Algora Publishing  
Amber Books  
American Lawyer Media Inc. (ALM)  
American University of Beirut Publications  
American University in Cairo Press  
Amon Carter Museum  
APDG Telecom Books (APDG)  
Blackie Academic and Professional  
Blackwords Press  
CATO Institute  
Center for Contemporary Arab Studies (CCAS)  
Eagle Publishing Inc.  
Elsevier Science  
Encounter Books  
Facts On File  
Firefly Books, Inc.  
The Gale Group Inc.  
Heritage Foundation  
Institute for International Economics  
Lebhar-Friedman, Inc. (L-F)  
London Geological Society  
Lookout Records  
Lyons Press  
Middle East Policy Council (MEPC)  
National Association of Corrosion Engineers  
National Council on Radiation Protection and Measurements  
National Strategist Publishers (NSP)  
New Paradigm Resources Group, Inc. (NPRG)

Oriental Institute of the University of Chicago (OI)  
Perseus Books Group  
Philadelphia Museum of Art (PMA)  
Prima Publishing  
Pyramid Research Inc.  
Ryland , Peters & Small  
Saint Vladimir's Seminary Press  
Theodore Presser and Company  
Walker & Company  
University of Washington Press  
Yes International Publishers

#### **FOLLOW-UPS**

Africa World Press (AWP)  
American Enterprise Institute for Public Policy (AEI)  
American Lawyer Media Inc. (ALM)  
Best Practices, LLC  
Blackwell Science Ltd.  
Business Publishers, Inc.  
CATO Institute  
Demos Medical Publishers  
Duke University Press  
Eagle Publishing Inc.  
Electronic Privacy Information Center (EPIC)  
Encounter Books  
Groves Dictionaries  
Heritage Foundation  
Information Today, Inc.  
Institute for International Economics (IIE)  
Lonely Planet Publications  
Marcel Dekker  
New Paradigm Resources Group, Inc. (NPRG)

O'Reilly & Associates  
Pyramid Research Inc.  
Public Affairs Book  
Reference Service Press (RSP)  
Rhino Records  
Stylus Publishing LLC  
TransTech Publications  
Weiss Research, Inc.  
Westview Press  
Yes, International Publishers

**COPYRIGHT ACQUISITIONS DIVISION  
FY2003 ANNUAL REPORT**

Date: October 22, 2003

**FISCAL YEAR HIGHLIGHTS:**

**Summary of Acquired Works:** During FY 2003 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 491,219 pieces received under mandatory deposit to the Library. Through the demand process CAD acquired 5,208 titles, consisting of 13,111 pieces.

**Backlog Reduction:** During the second quarter of the fiscal year, the division embarked on an initiative to completely eliminate all back logs by September 30, 2003. The Compliance Records Unit (CRU) began the initiative with 6,100 deposits on hand, in addition to receiving approximately 27,000 additional deposits throughout the year. The CRU ended the year with only 1,447 deposits on hand. The Division's Acquisitions Team began its initiative with 2,411 requests, in addition to receiving an additional 3,463 requests. The Acquisitions Team ended the fiscal year with 526 LC acquisition requests to be processed. The CAD achieved its objective of being current by October 1, 2003.

**Publisher Reviews and Follow-ups:** CAD librarians successfully completed 21 publisher reviews and 18 follow-up reviews. A listing of the individual reviews and follow-ups are listed in Attachment 4.

**Newspaper Microfilms:** CAD received 997 microfilm reels (approximately 136 titles) for delinquent newspaper titles or as replacement reels due to wrong formats and issue dates.



**Serial Claiming:** The Division's Serials Team successfully implemented serial claiming for individual missing issues this fiscal year, initially focusing on the titles in the "Speedy Serials" group.

**PART I. ELEMENT: Mission Effectiveness--Major Activities**

**1. Acquire works for LC's collections:**

**Summary of Mandatory Deposits Transferred to LC for FY 2003**

As indicated in Table 1, during FY 2003 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 491,219 pieces received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$11,403,672.56 when using the average unit prices supplied by Library Services.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC FY 2003</b>		
<b>Format</b>	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	58,895	\$3,738,801.67
Serials	389,381	\$6,029,326.39
Computer Products	1,950	\$1,253,915.48
CORDS Deposits	34,372	\$127,520.12
Motion Pictures	781	\$109,695.52
Music	3,322	\$109,725.66
Sound Recording	2,469	\$33,109.29
Maps	36	\$1,221.84
Prints, pictures, works of art	13	\$356.59
<b>TOTAL</b>	<b>491,219</b>	<b>\$11,403,672.56</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands as well as works submitted voluntarily with titles requested by CAD.

**Table 2**

<b>SUMMARY OF CAD ACQUISITIONS STATISTICS FY 2003</b>	
Titles Received	<b>5,208</b>
Pieces Received	<b>13,111</b>
Value of Works Received by CAD	<b>\$1,333,061.75</b>
Registration Fees Generated	<b>\$31,045</b>
LC & Congressional Recommendations	<b>4,247</b>
Titles Demanded/Requested	<b>6,293</b>
Titles Dropped/Replaced	<b>177</b>
Follow-up Actions	<b>4,734</b>

- LC and Congressional Recommendations Received:** CAD began the fiscal year with 2,120 LC requests on hand, in addition to receiving 4,247 additional requests of which 239 were Congressional requests from LC/Loan. CAD completed 6,293 recommendations during the fiscal year and ended the year with 540 requests on hand(This figure includes items not yet assigned to CAD staff and assigned requests that were still in process).

- **Demands Sent:** During this fiscal year CAD demanded 6,293 titles as follows: 1,976 CAD-identified titles, 3,926 LC- requested titles, and 207 titles requested by Congressional offices. Also requested were, 194 titles requiring a second copy, or the best edition.
- **Works Received:** CAD's Acquisitions Team received 5,208 titles in numerous formats consisting of 13,111 pieces. The value of the materials received totaled \$1,333,061 and registration fees generated by CAD's acquisitions activities amounted to \$31,045.
- **Publisher Reviews and Follow-ups:** CAD librarians successfully completed 21 publisher reviews and 18 follow-up reviews. These reviews established effective relationships between the CAD librarians and the publishers involved as well as reminding or informing them of their mandatory deposit requirements. A listing of the individual reviews and follow-ups are listed in Attachment 4.

**2. Discontinue Unwanted Deposits:** Due to other work load demands, notifying publishers that their serial titles were not being retained for the Library's collection was not given a high priority. During this fiscal year 880 discard letters were mailed, waiving or reducing the deposit requirement of 1,122 serial titles deposited with the Copyright Office but not retained by the Library. Of the 1,122 titles, 210 were being sent under Section 407 of the law, 290 titles under Section 408, and 622 under Group Registration.

### 3. **Special Acquisitions Projects and Agreements and Electronic Resources**

- **CD-ROM Acquisitions and Agreements.** One new agreement was received this fiscal year.

**Existing Agreements Count (1993 to present): 285**

Central File Server	85
Stand Alone	200

- **Group Registration (\$408) Deposits:** This fiscal year, CAD assumed responsibility for processing 1,600 Group Registration titles that have been converted to the LC ILS for serials check-in. CAD received 44,567 complimentary serial issues, processed 30,436 serial pieces for the Library's collections, and handled 14,131 serial items not retained by LC.
- **Speedy Serials:** At the end of the first quarter, a detailed report providing the status of the 366 original Speedy Serial titles was submitted to the Congressional Research Service and the Law Library. What started as a special pilot project, "Expedited Deposits," has now been incorporated into CAD's workflow. The report divided the titles into three categories: active, ceased, and inactive.
  1. **Active - 266 titles:** Based on the ILS check-in records, these are titles that are currently being received with some degree of regularity.
  2. **Ceased - 33 titles:** These titles have either ceased publication or merged with other titles.
  3. **Inactive - 65 titles:** Titles were no copyright deposit issues received for 1998 or later and in many instances earlier issues were also not received.

- **Serial Claiming:** The Division's Serials Team successfully implemented serial claiming for individual missing issues this fiscal year, initially focusing on the titles in the "Speedy Serials" group. Later in the fiscal year, claiming was expanded to include an additional 70 high priority group registration titles.
- **Newspaper Microfilms:** During FY 2003, CAD received 997 microfilm reels (approximately 136 titles) for delinquent newspaper titles or as replacement reels due to wrong formats and issue dates. These copyright receipts represent a total savings of \$78,655 for LC, in addition to generating \$11,990 in copyright registration fees for the Copyright Office.

#### 4. Special Relief:

- During the second quarter of the fiscal year, CAD responded to a letter from the legal counsel for Dayton Newspaper, Inc., requesting special relief for three newspapers, *The Middletown Journal*, *Journal News*, and *Springfield News-Sun*. It was determined that the three newspapers were not retained for the LC collections; therefore, they were entitled to full exemption from depositing 35mm silver halide positive microfilms.
- During the third quarter, CAD's Chief responded to a congressional inquiry from Congressman Sam Graves related to a special relief from mandatory deposit for a constituent. Since the newsletter in question was not being added to the permanent collections of the Library, the special relief was granted.

**5. Receiving, Recording and Transferring to LC 407 Deposits:** The Compliance Records Unit (CRU) created 29,704 records for a variety of library materials received through mandatory deposit. Due to the delayed receipt of deposits, there was a tremendous backlog during the first three quarters of the fiscal year. However, by the fourth quarter, the workload was current and the fiscal year ended with an average of 2 book carts of Section 407 deposits on hand waiting to be processed.

## **II. Program Management:**

### **1. Personnel Management:**

- **Awards:** (b) (6)

(b) (6)  
(b) (6)

Additionally,

Ms. Burton was selected as one of the Copyright Office recipients for the Annual American Intellectual Property Law Association (AIPLA) awards.

- **Promotions:** Ms. Sandra Barnes and Ms. Gladoria Young were promoted to GS-1411-09 Senior Level of the Acquisitions Library Technician's promotion plan. Ms. Lily Sun was promoted to the GS-1411-09 Senior Level of the Serials Technician's promotion plan. Ms. Taurica Wallace was promoted to GS-1411-06 level of the Processing Technician's promotion plan. Ms. Julia Leggett and Ms. Ava Everett were promoted to the GS-1410-12 Senior Level of the Copyright Acquisitions Specialist promotion plan.

Ms. Jannease Brown was promoted to the GS-1411-06 level of the Library Technician (Deposits Technician) promotion plan. In addition, Mr. Jamaal Johnson was promoted to the GS-1411-04 level of the Copyright Deposits Processing and Dispatch Technician promotion plan.

- **New Hires:** On September 29, 2003, Ms. Lauren Svitil was hired to fill the GS-1411-07 Library Technician(Copyright Acquisitions Technician-Trainee) position within the CAD/Technical Processing Section (TPS). Ms. Svitil was previously employed as a Library Information Specialist with United Heath Group/Optum.
- **Student Workers:** During the third quarter, CAD hired three college students to assist with special projects within the TPS. Ms. Camille Duncan, Ms. Michelle Mwalimu, and Ms. Nichole Sterling(returning college work from last year) were a tremendous asset to the TPS. Additionally, Mr. DeJoun Taylor, a senior at Crossland High School, located in Prince Georges County, Maryland, joined the staff as a part-time High School Work Student for FY 2203-2204. Ms. Nichole Sterling has extended her tenure as a part-time employee with the division while she continues her studies at Howard University.
- **Transfers:** Ms. Shawn Pearson was transferred to CAD from the LS Serial Records Division, to fill the vacant GS-1411-09, Senior Serial Technician position. Mr. Charles Lane was selected for the GS-1411-05 Library Technician (Copyright Deposits Technician Trainee). Mr. Lane comes to CAD from the Receipt, Analysis, Control Center(RACC).

## 2. Productivity and Workload/Workflow:

- **Back Log Reduction:** In final preparation for the office BPR implementation, the second quarter began with a Copyright Office initiative to eliminate all backlogs by September 30, 2003. By October 1, 2003, the goal was to have only current work on hand. CAD achieved this objective.
1. **Compliance Records Unit (CRU):** CRU processes the voluntary deposits that are automatically submitted by publishers in compliance with the mandatory deposit provisions of the Copyright Law. The Unit actually commenced its backlog initiative on January 13, 2003 with 6,100 deposits on hand for processing. Throughout the remainder of the fiscal year the unit received an additional 26,219 deposits, processed 29,474, and based on an actual count, ended the fiscal year with 1,395 deposits on hand.
  2. **Acquisitions Team:** The Acquisitions Team processes mandatory deposit demands for works required for the collections but not automatically deposited by publishers. The Team commenced its backlog activity on January 20, 2003 with 2,411 LC requests on hand to be processed. Throughout the fiscal year the Team received an additional 3,347 requests and processed 5,160. The Team ended the fiscal year with 540 requests on hand and the oldest LC acquisitions request was dated August 2003.



- **Mail Delivery:** Unreliable mail delivery continued to be a problem and a continued source of embarrassment for the staff. More than 50% of outstanding mandatory deposit cases in the follow-up stage are closed based on publishers providing documentation that the deposit(s) has been shipped and received by the off sight mail facility. However, months pass and searching COP or the LC ILS files fail to indicate physical evidence of receipt(s). A significant amount of time is spent calling publishers or searching files. This places the Division and the Copyright Office in a continuous embarrassing situation often frustrating and annoying publishers. Consequently, because of mis-routing of mail, CAD is forced to close cases without physical evidence of receipt because of disruptions in mail delivery.

3. **Staff Training and Professional Development:** All Division staff members attended the mandatory Work Place Violence and Ethics training. Various staff members also completed the following training classes:

- **TPAIO / ILS Related Training:** RLG Eureka Search Demo, Serials Check-In Orientation, V2000 Cataloging/Staff Search, Publication Patterns, MARC for Non-Catalogers, Macro Express(Introduction), HyperSnap4: Basic, First Search: Using the Web Based OCLC, AACR2 Revision, AACR2 2002 Serials Revision, ILS(Voyager 2000) Search Skillbuilder: Title Indexes, ILS9Voyager 2000) Search Skillbuilder: Non-Keyword, ILS(Voyager 2000) Search Skillbuilder: Keyword/Builder, ILS(Voyager 2000) Skillbuilder: Name Indexes, ILS Skillbuilder: Remote Searching, De-Mystifying Internet Explorer, GroupWise 5.5: Advanced Features, Telework Orientation, Telework Procedural Orientation, ILS(Voyager 2000) Searching for Bibliographic Control Staff(V2000), ILS (V2000) Searching for Serials, and ILS for Copyright Decision Makers
- **LCIU Training:** Mandatory Security Computer Awareness Phase One and Two, Retirement Seminar, AVUE Structured Interview Training, Introduction to GroupWise 5.5, Get a Grip on Grammar, LEADS Training, Microsoft PowerPoint: Introduction, LC Mentor and Mentoree Training, Administrative Management Modules: Labor Relations, Diversity, and Performance Management, Federal Employees Compensation Act Supervisors Workshop, Luminary Lectures Series "Transforming the Urban Public Library, CPR/AED/First Aid Training, Ethics Training, Work Study Orientation, WIPO Symposium, Information Ethics: Challenges for Library and Information Science Professionals, New Employee Orientation and Facilitative Leadership, Proofreading, Microsoft Excel(Worksheets), Microsoft Excel( Charting and Organizing Data), and Microsoft Access(Level Two)

- **Conferences and Meetings:** CAD staff members attended the following off-site conferences: Computers in Libraries Conference, March 12-14, 2003 and ALA Mid-Winter, January 2003

### **III. EEO / Affirmative Action**

- **Mentoring:** CAD's Chief volunteers as a mentor in the LC Mentoring Program were she mentors a young, GS-6 African-American female. Weekly one-on-one meetings are held with the mentoree. Additionally, Taurica Wallace, one of CAD's junior technicians is a mentoree participating in the program as well. Both the Chief and Ms. Wallace each completed 12 hours of mentoring training in January.
- CAD's, Taurica Wallace represented the Copyright Office as a member on the committee for the Afro-American History Month Celebration.
- CAD's Julia Leggett served as a member of the Asian American celebration month.
- On November 13, 2002, Ms. Julia Leggett, a former AA intern, participated in a panel discussion organized by the LC Human Resources. The purpose of the workshop was to encourage and help candidates apply for the 2003 AAIP(Affirmative Action Intern Program) intern positions throughout the Library. Ms. Leggett briefed the group of participants about her experiences with the program and answered many questions on how to prepare for interviews and how to construct a well-written application.

### **IV. Special Assignments:**

- **(b) (5)**

(b) (5)

- **Outreach and Communications:** In an initiative to educate the LC Recommending Officers (ROs), on November 7, 2002, CAD's Chief along with the acquisitions specialists briefed twelve of LC's ROs from the Main Reading Room. The presentation focused on the functions and responsibilities of CAD, CAD's demand process, limitations, special initiatives, and most important, provided an opportunity to gather feedback on how CAD can better serve the ROs. The presentation was well received and was the first in a series. During the third quarter of this fiscal year, Senior Acquisitions Specialist Eileen Lowry presented a similar presentation to the Recommending Officers in the Business Reading Room.

## Attachment 1

Mandatory Deposit			
Pieces and Estimated Value of Materials Transferred to LC			
Format	Pieces Transferred <sup>1</sup>	Avg. Unit Price <sup>2</sup>	Estimated Value
<b>Books<sup>3</sup></b>	<b>58,895</b>		<b>\$3,738,801.67</b>
Ink Print	44,091	\$58.41	\$2,575,355.31
Microfiche	14,804	\$78.59	\$1,163,446.36
<b>Serials<sup>4</sup></b>	<b>389,381</b>		<b>\$6,029,326.39</b>
Periodicals	349,200	\$28.23	\$5,914,749.60
Ink Print Newspapers	39,000	\$0.93	\$21,762.00
Microfilm Newspapers	1,181	\$78.59	\$92,814.79
<b>Computer Products</b>	<b>1,950</b>		<b>\$1,253,915.48</b>
Software	31	\$26.08	\$808.48
CD-ROMs (includes serial)	1,919	\$653.00	\$1,253,107.00
<b>CORDS Deposits</b>	<b>34,372</b>		<b>\$127,520.12</b>
UMI	34,372	\$3.71	\$127,520.12
<b>Motion Pictures</b>	<b>781</b>		<b>\$109,695.52</b>
Videotapes	776	\$82.52	\$64,035.52
Feature Films	5	\$9,132.00	\$45,660.00
<b>Music</b>	<b>3,342</b>	<b>\$33.03</b>	<b>\$109,725.66</b>
Sound Recording	2,469	\$13.41	\$33,109.29
<b>Maps</b>	<b>36</b>	<b>\$33.94</b>	<b>\$1,221.84</b>
<b>Prints, pictures, works of art</b>	<b>13</b>	<b>\$27.43</b>	<b>\$356.59</b>
<b>TOTAL</b>	<b>491,219</b>		<b>\$11,403,672.56</b>

<sup>1</sup>Piece count is maintained by the Compliance Record Unit, Copyright Acquisitions Division.

<sup>2</sup>Average unit prices are supplied by Library Services, Acquisitions Directorate. Prices are averages for 2002.

<sup>3</sup>Since 60% of "Books" are selected for LC's collections and 40% are used for the Library's exchange program, estimated value is recorded as 100%.

<sup>4</sup>Since only 60% of "Serials" are selected for LC's collections, only 60% of the estimated value is entered for each serial category, except microfilm newspapers. All microfilm newspapers are selected and therefore 100% of the estimated value is recorded.

## Attachment 2

CAD Cumulative Acquisitions Report					
1. Titles Received	Q1 FY 03	Q2 FY 03	Q3 FY 03	Q4 FY 03	Total
1.1 Titles	1,241		1,208	921	4,160
1.2 Unsolicited Titles	147		450	60	1,048
1.3 Total	1,388		1,658	981	5,208
2. Pieces Received					
2.1 Pieces	5,050		4,204	1,803	11,318
2.2 Unsolicited Pieces	293		604	107	1,793
2.3 Total	5,343		4,808	1,910	13,111
3. Value of works					
3.1 Value of works demanded	\$14,273.75	\$227,390.00	\$464,839.00	\$345,897.00	\$1,186,007.75
3.2 Value of unsolicited	\$39,450.00	\$34,800.00	\$52,377.00	\$3,817.00	\$147,054.00
3.3 Total	\$18,123.75	\$262,200.00	\$517,216.00	\$349,714.00	\$1,333,061.75
4. Registration Fees	\$10,045.00	\$7,100.00	\$6,545.00	\$7,225.00	\$31,045.00
5. Recommendations					
5.1 LC	677		1,290	1,247	4,008
5.2 Congressional	48		68	50	239
5.3 Total	725		1,358	1,297	4,247
6. Titles Demanded					
6.1 CAD Titles	111		1,235	306	1,976
6.2 LC Titles	313		1,159	1,107	3,926
6.3 Congressional Titles	41		29	43	207
6.4 Best Edition/2nd copy			40	50	194
6.5 Total	655		2,473	1,506	6,293
7. Titles Dropped	37		1	33	177
8. Follow-up Actions					
8.1. Follow-ups	396		643	314	1,657
8.2 Pre-GC	0		1	5	52
8.3 DOJ			0	0	124
8.3 Phone/Fax/Email	680		1,242	339	2,901
8.4 Total	976		1,243	658	4,734

## Attachment 3

C.A.D. Comparative Statistics Report		Report	
	FY 01	FY 02	% Change
<b>1. Titles Received</b>			
1.1 Titles		2,216	88
1.2 Unsolicited Titles		740	42
<b>1.3 Total</b>		2,956	76
<b>2. Pieces Received</b>			
2.1 Pieces		6,783	67
2.2 Unsolicited Pieces		1,086	65
<b>2.3 Total</b>		7,869	67
<b>3. Value of works</b>			
3.1 Value of works demanded	\$1,000,000	\$733,806.00	62
3.2 Value of unsolicited	\$1,000,000	\$150,572.00	-2
<b>3.3 Total</b>	<b>\$1,000,000</b>	<b>\$884,378.00</b>	<b>51</b>
<b>4. Registration Fees</b>		\$28,629.00	8
<b>5. Recommendations</b>			
5.1 LC		1,525	163
5.2 Congressional		269	-11
<b>5.3 Total</b>		1,794	137
<b>6. Titles Demanded</b>			
6.1 CAD Titles		1,700	16
6.2 LC Titles		2,064	90
6.3 Congressional Titles		203	2
6.4 Best Edition/2nd copy			
<b>6.5 Total</b>		3,967	59
<b>7. Titles Dropped</b>		94	88
<b>8. Follow-up Actions</b>			
8.1. Follow-ups		925	79
8.2 Pre-GC		15	247
8.3 DOJ		0	
8.3 Phone/Fax/Email		2,683	8
<b>8.4 Total</b>		3,623	31

**American Chemical Society**

**Assouline Publishing**

**Business Resources Bureau Publications, Inc.**

**Feldheim Publishers**

**Hancock House Publishers**

**Health Communications, Inc.**

**Harlequin Books**

**Johnson Publishing Company**

**New Press**

**Nexos Recording**

**Oxford University Press**

**Persian Heritage Foundation**

**Reckless DC Music**

**Running Press**

**Sheffield Academic Press**

**Sheep Meadow Press**

**Soft Skull Press**

**Sourcebooks, Inc.**

**Taylor & Francis Journals**

**University of California Press**

**Washington Institute for Near East Policy**



**FOLLOW-UPS**

**Acorn Media Publishing Inc.**

**Adams Media Corp.**

**Barrows Company Inc.**

**Casemate Publishers & Book Distributors**

**Duke University Press**

**Eakin Press**

**Facts on File**

**Freedonia Group, Inc.**

**Gale Group Inc.**

**Invisible Cities Press**

**Lookout Records**

**Lyons Press (2 follow-ups)**

**Naxos**

**New Sage Press**

**Persian Heritage Foundation**

**Saint Valdimir's Press**

**Texere LLC**



United States Copyright Office • Library of Congress • 101 Independence Avenue SE • Washington, DC 20559 • (202) 707-8350

## Memorandum

To: Marybeth Peters  
Register of Copyrights

November 23, 2004

From: Jewel A. Player  
Chief, Copyright Acquisitions Division

### **CAD Annual Report for Fiscal Year 2004**

Attached for your information is CAD's Annual Report for Fiscal Year 2004. This report was a collaborative effort by the entire CAD staff. Any questions or comments you may have should be addressed to me via email at [jpla@loc.gov](mailto:jpla@loc.gov) or by phone, 7- 6781.

Thank you.

### Attachments

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cc: w/copy of attachments:

Julia Huff, CO  
Maureen Landry, LS  
Deanna Marcum, LS  
Beacher Wiggins, LS  
Don Panzera, LS  
Robert Dizard, LS  
William Collins, CO  
CAD Staff members  
CAD File

**COPYRIGHT ACQUISITIONS DIVISION  
FY2004 ANNUAL REPORT**

**Date: October 2004**

**FISCAL YEAR HIGHLIGHTS:**

**Summary of Acquired Works:** During FY 2004 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 537,903 pieces received under mandatory deposit to the Library. Through the demand process CAD acquired 3,937 titles, consisting of 18,305 pieces.

**Summary of Electronic Deposits:** The Division began working with SRA, the CO BPR contractors; to develop the specification of a web based system for the acceptance of electronic copyright deposits

**Publisher Reviews and Follow-ups:** CAD librarians successfully completed thirty-six (36) publisher reviews and twenty-six (26) follow-up reviews. A listing of the individual reviews and follow-ups are listed in Attachment 4.

**Serials:** Copyright serial deposits managed by the Division are checked in and transferred to the Library's collections more timely than any other copyright serials. Those titles classed as high priority for CRS and the Law library are transferred within forty-eight (48) hours of receipt and all other are transferred within five (5) days of receipt in the Division. Approximately 3,000 serial titles are checked in by the Division, of these, approximately 300 are part of a special initiative to claim individual missing issues.

**PART I: Mission Effectiveness**

**1. Acquire works for LC's collections:**

**Summary of Mandatory Deposits Transferred to LC for FY 2004**

As indicated in Table 1 below, during FY 2004 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 537,903 pieces received under mandatory deposit to the Library.

The estimated value of works transferred was calculated at \$13,220,977 when using the average unit prices supplied by Library Services.

Table 1

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
<b>Format</b>	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	55,135	\$3,539,409.70
Serials	439,876	\$7,249,223.60
Computer Products	2,981	\$1,847,262.56
CORDS Deposits (UMI)	33,564	\$128,214.48
Motion Pictures	1,842	\$361,632.00
Music	1,474	\$50,145.48
Sound Recordings	2,817	\$38,902.77
Maps	21	\$734.16
Prints, pictures, works of art	193	\$5,452.25
<b>Total</b>	<b>537,903</b>	<b>\$13,220,977.00</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands as well as works submitted voluntarily with titles requested by CAD.

**Table 2**

<b>Summary of CAD Acquisitions Statistics FY 2004</b>	
Titles Received	3,937
Pieces received	18,305
Value of works received by CAD	\$740,970
Registration Fees Generated	\$25,455
LC & Congressional Recommendations	5,038
Titles Demanded/Requested	5,767
Titles Dropped/Replaced	314
Follow-up Actions	3,736

**LC and Congressional Recommendations Received:** CAD began the fiscal year with 540 LC requests on hand, and received an additional 5,038 new requests throughout the year, of which 276 were Congressional requests from LC/Loan. CAD completed 5,463 recommendations during the fiscal year and ended the year with 197 requests on hand.

**Demands Sent:** During this fiscal year CAD demanded 5,767 titles as follows: 2,340 CAD-identified titles, 3,073 LC- requested titles, and 202 titles requested by Congressional offices. Also requested were, 152 titles requiring a second copy, or the best edition.

**Works Received:** CAD's Acquisitions Team received 3,937 titles in numerous formats consisting of 18,305 pieces. The value of the materials received totaled \$740,970 and registration fees generated amounted to \$25,455.

**Cases Referred:** The following cases were referred to the Copyright General Counsel for possible referral to the U.S. Justice Department.

**TLC Publishing, Inc.**, publishes books about trains and railways in North America. No response was received for a demand for fifty-nine (59) publications. The Division's principal Legal Advisor from the Copyright General Counsel sent a letter to TLC Publishing, Inc. on July 29, 2004. If the required deposits are not received by November 1, 2004, TLC will be referred to the U.S. Justice Department.

**Editorial Castilla La Vieja**, located in Horsham, PA has published several Spanish language reference resources, mainly science related dictionaries. A demand for seven titles was originally submitted to the publisher, March 2004. Kenneth Hornak, the owner of copyrights, has repeatedly responded that he will not comply without payment. His written responses have threatened suit against all who have written to him. His case is now being considered for forwarding to the U.S. Justice Department.

**Nielsen Media Research** was referred to the CO General Counsel to provide a legal response to CAD's denial of their special relief request for a five (5) year deposit delay for two of their publications "DMA Maps" and "Market Data".

- ! **Publisher Reviews and Follow-ups:** In spite of being short one acquisitions specialist for most of the year, CAD librarians successfully completed thirty-seven (37) publisher reviews and twenty-six (26) follow-up reviews. These reviews established effective relationships between the CAD librarians and the publishers involved as well as reminding or informing them of their mandatory deposit requirements. A publisher listing of the individual reviews and follow-ups are listed in Attachment 4.

## 2. Discontinue Unwanted Deposits:

- This fiscal year, CAD sent 876 letters requesting the cancellation of 1,317 serial titles. Of the 1,317 titles, 343 were being received through Group Registration, 590 were received for regular copyright registration, and 384 were voluntary submissions to fulfill the mandatory deposit provisions under §407 of the law. An additional thirty-three (33) letters were sent to various newspaper publishers informing them that their microfilm deposits were not being retained for the permanent collection. All thirty-three (33) titles were being received as voluntary submissions.

## 3. Special Acquisitions Projects and Agreements

- **Group Registration (408) Deposits:** CAD processed 38,486 complimentary serial pieces received under Group Registration. Of these, 33,163 serial pieces were checked-in for addition to the Library's collections; this is an increase from 30,436 pieces checked-in for FY03. Of the total pieces received, 5,323 were processed as discards, compared to handling 14,131 discarded pieces in FY03. While the number of pieces checked-in for the collections increased from FY2003, the number of pieces handled that were not retained for the collections significantly decreased. This is a direct result of letters sent to publishers. Pieces checked-in are generally transferred to the collections within five (5) days of receipt in the Division.
- **Speedy Serials:** CAD serials staff checked in 3,227 Speedy serial pieces, which were transferred to the collections within 48 hours of receipt in the Division. As part of the claiming initiative, 181 letters were sent -- claiming 424 titles. Speedy serials originally started as a project to expedite the receipt of approximately 300 high priority titles required by the Law Library and the Congressional Research Service. Efforts began this fiscal year to determine the status of sixty-five (65) serial titles included on the original list of 300 titles that were considered inactive due to non-receipt of issues. Some titles had not been received as far back as 1998. As a result of extensive research, it was found that twenty three (23) of the titles are no longer being published and demand notices were submitted for twenty one (21) titles to bring them to active status.
- ! **Newspaper Microfilms:** During FY2004, CAD received 702 microfilm reels (approximately 159 titles) for delinquent newspaper titles or as replacement reels due to wrong formats and issue dates. These copyright receipts represent a total savings of \$55,458 for LC, in addition to generating \$8,738 in copyright registration fees for the Copyright Office.

## 4. Special Relief: Working with LC Recommending Officers the following special relief requests were processed:

- **Coaches Choices:** Small publisher with no evidence of prior copyright deposits, requested relief due to financial hardship. Permission was granted allowing the

publisher to submit one copy of the 144 delinquent titles and provide two copies of all future works.

- **National Fire Protection Association:** Early in the first quarter, the Science and Business Section expressed a critical need (to respond to Congressional inquiries) for the Association's published Standards and Codes on a regular basis and as they were published throughout the year. Consequently, CAD facilitated an arrangement that allowed the Association to provide one copy of their annual twelve (12) volume set of cumulative standards and codes submitted for copyright registration at the end of the year in addition to sending one mandatory deposit copy directly to CAD and one for registration of each individual code as published throughout the year. The Association immediately complied by sending a copy of all fifty-nine (59) individual codes published in 2003.
- **Nielsen Media Research:** Nielsen has requested a five (5) year delay in depositing copies of its "DMA Maps" and "Market Data". CAD, followed by the Copyright's General Counsel, has informed them that five years is unacceptable and the most we would offer is a two (2) year deposit delay. Final agreement is still pending.

#### 5. **Receiving, Recording and Transferring to LC 407 Deposits:**

The Compliance Records Unit (CRU) began the fiscal year with 1,395 deposits on hand. The staff created 34,368 records for a variety of library materials received through mandatory deposit and ended the year with 559 items on hand. This represents an increase of 4,664 records from last fiscal year. However, in spite of being short of one deposit technician for five months of the year, the unit managed to maintain a current workload.

### **PART II: Program Management:**

#### 1. **Personnel Management:**

**Awards:** (b) (6)

(b) (6)

(b) (6)

Additionally, Ms. Young was selected as one of the Copyright Office recipients for the Annual American Intellectual Property Law Association (AIPLA) awards.

**Promotions:** Jannease Brown and Charles Lane were promoted to the GS-1411-07 Senior Level of the Deposit Technician promotion plan. Lauren Svitil was promoted to the GS1411-8 level of the Acquisitions Assistant promotion plan.

**New Hires:** Nichole Sterling was selected for a GS1411 part-time permanent position. Ms. Sterling is a senior at Howard University.

**Student Workers:** During the third quarter, CAD hired three college students to assist with the serials discard project. Marcus Atkinson, North Carolina A& T State College; Robert Garrett, Morehouse College; and Dante Gorham, Howard University.

**Transfers/ Reassignments:** Ms. Felicia Chau was transferred to CAD from the LS Serial Records Division, to fill the vacant GS-1411-09, Senior Serial Technician position. D'Andrea Hamn of the CO Receiving and Processing Division was reassigned to CAD to fill the vacancy for the Special Assistant position.

**Resignations:** DeJoun Taylor, work study student resigned to accept a position with the U.S. Justice Department which will allow him to work part-time during his matriculation at Bowie State University in the fall. Michael Bush, Deposit Technician, resigned to pursue other personal interest opportunities.

## 2. Productivity and Workload/Workflow

- During this fiscal year the Division maintained a current workload in all processing areas of the office.
  - Working with David Williamson of LS Cataloging Directorate, the Division began using the Z-processor program. The Z- Processor facilitates the remote searching of OCLC or RLIN by scanning or keying in the ISBN. This is a significant time saver in the creation of initial bibliographic records.
  - Approximately forty percent (40%) of the serial titles received via copyright deposit are not selected for the Library's collections. During the summer months, CAD restructured its initiative of notifying publishers that their serial title(s) was not being retained for the Library's collections. Three college level temporary summer hires were brought on board specifically to work on this project. Each letter mailed was preceded by a personal contact with the publisher to identify the appropriate contact person. While the majority of the letters were first notifications, there were a significant number of publishers that were receiving second and third notification of the same. While the revived process was more time consuming, the projections are that the individual personal contacts will result in greater success in keeping unwanted titles from being submitted for copyright deposits. In the summer of 2003 a similar process was used for the group registration titles resulting in a significant reduction in the receipt of unwanted pieces.
3. **Security and Safety:** The Division Chief and Special Assistant attended the mandatory Hazard Abatement overview and system training during the month of February. Clifton Knight the Division's Emergency Coordinator Officer, attended all required meetings and kept the Division Chief and the staff informed of all developing issues. Mr. Knight distributed all required emergency preparedness and safety information, including the updated "Internal Emergency Action Plan" for the division. Copies of the revised Emergency Evacuation Route (EER) maps were posted at all exit doors within the division. During all emergency evacuations he and Eileen Lowry, Zone 3 Stairwell Monitor, assured that the area was vacated and that the newly issued area "Evacuated" signs were in place. Additionally, new staff was provided with required safety and emergency equipment and supplies, such as the Emergency Support Pack (ESP); and they received the required training necessary for issuance of the Quick mask (escape hood respirator).
4. **Staff Training and Professional Development:** All Division staff members completed the WEB TA training and LC Gateway. Staff that had not previously done so completed the Mandatory Security Computer Awareness Phase One and Two by the end of the first quarter 2004. Various staff members also completed the following training classes:
- ! **TPAIO / ILS Related Training:** Searching for Serials; IBC records for Acquisition Staff; Searching for Bibliographic Control; Cataloging; Acquisition Comprehensive; Acquisitions Skill builder: Vendor Records, PO, and Invoices; Acquisitions Skill builder: Defaults, Navigation, Searching, Ledgers and Funds; MARC for Non-Catalogers; Windows 2000 Skill builder: Desktop & Customizing Features; Windows 2000 Skill Builder: Creating and Managing Folders; Crystal Reports-E-Portfolio.
  - ! **LCIU Training:** Retirement Seminar, Time Management "Time Power"; Administrative Management Course: Module 8 Performance Management; Effective Presentations; Access Advanced; Dispute Resolution, Grammar Solutions; MS Word 2000; GroupWise 6.5.

- ! **Other Training:** Quick Mask; Work Study Welcome Orientation; Planning and Managing Organizational Change; Teleconference Series for Library Technicians, "Soaring to Excellence"; Automated Hazard Abatement Tracking System; E Book Presentation from Baker & Taylor; Market Research Com Presentation; CO BPR Change Management; Jewish Book in America Lecture; ProQuest-Historical Papers; Momentum.
- ! **Conferences and Meetings:** American Library Association Annual Conference, Orlando; Computers in Libraries, Washington, D.C.

**PART III: EEO / Affirmative Action:** CAD's Division chief volunteered as a mentor for the LC Mentoring Program.

**PART IV: Special Assignments**

**1. Copyright Office BPR Implementation:**

- CAD staff participated as working group members on several teams: OPAC, Voyager Indexing, and Voyager Conversion. In addition to assuring that the needs of CAD would be addressed, Division team members also served as invaluable resources to other copyright team members clarifying many questions and confusion related to the use and workings of the Voyager system and the MARC record.
- Electronic Deposit Pilot: The Division began working with the SRA contractors to develop the specification for a web-based system for the acceptance of electronic copyright deposits. The pilot will test the capability of receiving files of electronic works for copyright deposits. A select group of publishers have been identified as participating partners.

**2. Outreach and Communications:** Continuing the divisions initiative to educate the LC Recommending Officers (ROs), on December 11, 2003, CAD's Chief along with the division's acquisitions specialists briefed a group of LC's ROs from various areas/reading rooms of the library, to include the Law Library and Acquisitions Directorate. The presentation focused on the functions and responsibilities of CAD, the demand process, limitations, special initiatives, and most importantly, provided an opportunity to gather feedback on how CAD can better serve the ROs.



## Attachment 1

Pieces and Estimated Value of Materials Transferred to LC FY 2004			
Format	Pieces Transferred	Avg. Unit Price	Estimated Value
<b>Books</b>	<b>55,135</b>		<b>\$3,539,409.70</b>
Ink Print	43,677	\$59.80	\$2,611,857.60
Microfiche	11,458	\$80.95	\$927,525.10
<b>Serials</b>	<b>439,876</b>		<b>\$7,249,223.60</b>
Periodicals	399,500	\$29.08	\$6,970,476.00
Ink Print Newspapers	37,200	\$0.97	\$21,650.40
Microfilm Newspapers	3,176	\$80.95	\$257,097.20
<b>Computer Products</b>	<b>2,981</b>		<b>\$1,847,262.56</b>
Software	246	\$26.86	\$6,607.56
CD-ROMs (includes serial)	2,735	\$673.00	\$1,840,655.00
<b>CORDS Deposits</b>	<b>33,564</b>		<b>\$128,214.48</b>
UMI	19,404	\$3.82	\$74,123.28
<b>Motion Pictures</b>	<b>1,842</b>		<b>\$361,632.00</b>
Videotapes	1,820	\$85.00	\$154,700.00
Feature Films	22	\$9,406.00	\$206,932.00
<b>Music</b>	<b>1,474</b>	<b>\$34.02</b>	<b>\$50,145.48</b>
<b>Sound Recording</b>	<b>2,817</b>	<b>\$13.81</b>	<b>\$38,902.77</b>
<b>Maps</b>	<b>21</b>	<b>\$34.96</b>	<b>\$734.16</b>
<b>Prints, pictures, works of art</b>	<b>193</b>	<b>\$28.25</b>	<b>\$5,452.25</b>
<b>TOTAL</b>	<b>537,903</b>		<b>\$13,220,977.00</b>

## Attachment 2

<b>CAD Cumulative Acquisitions Report</b>					
	<b>Q1 FY 04</b>	<b>Q2 FY 04</b>	<b>Q3 FY 04</b>	<b>Q4 FY 04</b>	<b>Total</b>
<b>1. Titles Received</b>					
1.1 Titles	813	1,026	794	820	3,453
1.2 Unsolicited Titles	70	273	92	49	484
<b>1.3 Total</b>	<b>883</b>	<b>1,299</b>	<b>886</b>	<b>869</b>	<b>3,937</b>
<b>2. Pieces Received</b>					
2.1 Pieces	9,920	2,339	3,286	1,563	17,108
2.2 Unsolicited Pieces	102	365	634	96	1,197
<b>2.3 Total</b>	<b>10,022</b>	<b>2,704</b>	<b>3,920</b>	<b>1,659</b>	<b>18,305</b>
<b>3. Value of works</b>					
3.1 Value of works received	\$158,537	\$197,978	\$152,265	\$159,285	\$668,065
3.2 Value of unsolicited works	\$33,092	\$11,335	\$22,316	\$6,163	\$72,906
<b>3.3 Total</b>	<b>\$191,629</b>	<b>\$209,313</b>	<b>\$174,581</b>	<b>\$165,447</b>	<b>\$740,970</b>
<b>4. Registration Fees</b>	<b>\$7,125</b>	<b>\$4,245</b>	<b>\$8,640</b>	<b>\$5,445</b>	<b>\$25,455</b>
<b>5. Recommendations</b>					
5.1 LC	916	930	1,474	1,442	4,762
5.2 Congressional	51	66	78	81	276
<b>5.3 Total</b>	<b>967</b>	<b>996</b>	<b>1,552</b>	<b>1,523</b>	<b>5,038</b>
<b>6. Titles Demanded</b>					
6.1 CAD Titles	612	267	803	658	2,340
6.2 LC Titles	862	498	760	953	3,073
6.3 Congressional	24	58	52	68	202
6.4 Best Edition/2 <sup>nd</sup> Copy	42	58	21	31	152
<b>6.5 Total</b>	<b>1,540</b>	<b>881</b>	<b>1,636</b>	<b>1,710</b>	<b>5,767</b>
<b>7. Titles Dropped</b>	<b>75</b>	<b>58</b>	<b>69</b>	<b>112</b>	<b>314</b>
<b>8. Follow-up Actions</b>					
8.1 Follow-ups	220	370	508	454	1,552
8.2 Pre-GC	213	2	106	124	445
8.3 DOJ	0	0	1	0	1
8.4 Phone/Fax/Email	424	418	504	392	1,738
<b>8.5 Total</b>	<b>857</b>	<b>790</b>	<b>1,119</b>	<b>970</b>	<b>3,736</b>

## Attachment 3

<b>CAD Comparative FY 2004 Statistical Report</b>			
	<b>FY 04</b>	<b>FY 03</b>	<b>% Change</b>
<b>1. Titles Received</b>			
1.1 Titles	3,453	4,160	-17.00%
1.2 Unsolicited Titles	484	1,048	-53.82%
<b>1.3 Total</b>	<b>3,937</b>	<b>5,208</b>	<b>-24.40%</b>
<b>2. Pieces Received</b>			
2.1 Pieces	17,108	11,318	51.16%
2.2 Unsolicited Pieces	1,197	1,793	-33.24%
<b>2.3 Total</b>	<b>18,305</b>	<b>13,111</b>	<b>39.62%</b>
<b>3. Value of works</b>			
3.1 Value of works received	\$668,065	\$1,186,008	-43.67%
3.2 Value of unsolicited works	\$72,906	\$147,054	-50.42%
<b>3.3 Total</b>	<b>\$740,971</b>	<b>\$1,333,062</b>	<b>-44.42%</b>
<b>4. Registration Fees</b>	<b>\$25,455</b>	<b>\$31,045</b>	<b>-18.01%</b>
<b>5. Recommendations</b>			
5.1 LC	4,762	4,008	18.81%
5.2 Congressional	276	239	15.48%
<b>5.3 Total</b>	<b>5,038</b>	<b>4,247</b>	<b>18.62%</b>
<b>6. Titles Demanded</b>			
6.1 CAD Titles	2,340	1,976	18.42%
6.2 LC Titles	3,073	3,926	-21.73%
6.3 Congressional	202	207	-2.42%
6.4 Best Edition/2 <sup>nd</sup> Copy	152	194	-21.65%
<b>6.5 Total</b>	<b>5,767</b>	<b>6,303</b>	<b>-8.50%</b>
<b>7. Titles Dropped</b>	<b>314</b>	<b>177</b>	<b>77.40%</b>
<b>8. Follow-up Actions</b>			
8.1 Follow-ups	1,552	1,657	-6.34%
8.2 Pre-GC	445	52	755.77%
8.3 DOJ	1	124	-99.19%
8.4 Phone/Fax/Email	1,738	2,901	-40.09%
<b>8.5 Total</b>	<b>3,736</b>	<b>4,734</b>	<b>-21.08%</b>

**Attachment 4**

**COMPREHENSIVE PUBLISHER'S REVIEWS**

Ambrose Video  
American Institute of Aeronautics and Astronautics  
Apress Lp  
Bard Press  
Beatville Records  
Clarion Records  
Conning Research and Consulting, Inc.  
Continuum International Publishing Group  
Delmark Records  
Dischord Records  
Eagle Publishing Company of Boca  
Federation Press  
Flower Valley Press, Inc.  
Getty Publications  
Idea Group Inc.  
Inner Ocean Publishing  
Institute for International Economics  
IOS Press  
KidSafety of American  
Littman Library of Jewish Civilization  
Mike Tecton Publishing  
National Alcohol Beverage Control Association  
National Association of Social Workers Press  
Office of International Criminal Justice  
Resources for the Future  
Shout Factory  
South End Press  
Southport/Norport Records  
Sparrow Sound Design Recording Studio  
Springer-Verlag  
Talking Drum Communications  
Toby Press LLC  
Transaction Publishers  
Vallentine Mitchell Publisher  
Whitney Museum of American Art

**Attachment 4 (Continued)**

**FOLLOW-UP S**

Africa World Press/Red Sea Press  
American Chemical Society Publications Division  
American University in Cairo Press  
Ashahta Press  
Blackwords Press  
Cantaloupe Music  
Center of Contemporary Arab Studies  
Education and Outreach to Publishers  
Encounter Books  
Facts on File  
Gefen Publishing House Ltd.  
Health Communications, Inc.  
Holy Cross Orthodox Press  
Inner Ocean Publishing  
Jane's Information Group  
Naxos Records  
New Press  
Pitsopany Press  
Price Club Productions  
Routledge  
Running Press  
Soft Skull Press  
Thomson Gale Inc  
Toby Press LLC  
University of California Press  
Westview Press



United States Copyright Office • Library of Congress • 101 Independence Avenue SE • Washington, DC 20559 • (202) 707-8350

## Memorandum

To: Marybeth Peters  
Register of Copyrights

October 21, 2005

From: Jewel A. Player *Jewel Player*  
Chief, Copyright Acquisitions Division

### CAD Annual Report for Fiscal Year 2005

Attached for your information is CAD's Annual Report for Fiscal Year 2005. This report was a collaborative effort by the entire CAD staff. Any questions or comments you may have should be addressed to me via email at [jpla@loc.gov](mailto:jpla@loc.gov) or by phone, 7- 6781.

Thank you.

### Attachments

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cc: w/copy of attachments:

Julia Huff, CO  
Maureen Landry, LS  
Deanna Marcum, LS  
Beacher Wiggins, LS  
Don Panzera, LS  
Robert Dizard, LS  
William Collins, CO  
CAD Staff members  
CAD File

**COPYRIGHT ACQUISITIONS DIVISION  
ANNUAL REPORT  
FISCAL YEAR 2005**

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Jewel Player  
Chief, Copyright Acquisitions Division  
October, 2005

# **COPYRIGHT ACQUISITIONS DIVISION FY2005 ANNUAL REPORT**

**Date: October 21, 2005**

## **FISCAL YEAR HIGHLIGHTS:**

**Summary of Acquired Works:** During FY 2005 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 562,588 pieces received under mandatory deposit to the Library. Through the demand process CAD acquired 4,588 titles, consisting of 13,583 pieces.

**Publisher Reviews and Follow-ups:** CAD librarians successfully completed twenty-one (21) publisher reviews and fifteen (15) follow-up reviews. A listing of the individual reviews and follow-ups are listed in Attachment 2.

**Serials:** Copyright serial deposits managed by the Division are checked in and transferred to the Library's collections more timely than any other copyright serials. Those titles classed as high priority for CRS and the Law library are transferred within forty-eight (48) hours of receipt and all other are transferred within five (5) days of receipt in the Division. The Division checked in approximately 55,401 serial titles

## **PART I: Mission Effectiveness**

### **Acquire works for LC's collections:**

#### **Summary of Mandatory Deposits Transferred to LC for FY 2005**

As indicated in Table 1 below, during FY 2005 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 562,588 pieces received under mandatory deposit to the Library, an increase of approximately 30,000 pieces from FY 2004. The estimated value of works transferred was calculated at \$13,585,101 when using the average unit prices supplied by Library Services, an increase of approximately \$350,000 from FY2004. (See attachment 1)

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	86,846	\$2,959,431
Serials	465,377	\$8,423,392
Computer-related works	2,659	\$1,764,843
Motion Pictures	1,768	\$250,793
Music	2,684	\$ 139,085
Dramatic Works, choreography and pantomimes	0	\$0
Other works of the performing arts	0	\$0
Sound Recordings	3,195	\$45,433
Maps	59	\$2,124
Prints, pictures, and works of art	0	\$0
<b>Total</b>	<b>562,588</b>	<b>\$13,585,101</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.



**Table 2****CAD Comparative Acquisitions Statistical Report FY 2005**

	<b>FY 05</b>	<b>FY 04</b>	<b>% Change</b>
Titles Received	4,588	3,937	16.54%
Pieces Received	13,493	18,305	-26.29%
Value of works received	\$1,060,384	\$740,971	43.11%
Registration Fees	\$24,555	\$25,455	-3.54%
Recommendations Received	7,070	5,038	40.33%
Titles Demanded	6,470	5,767	12.19%
Follow-up Actions	4,606	3,736	23.18%

As indicated in the table above, with the exception of registration fees and pieces received there was significant increase in all areas. Of special note is the 40% increase in requests received from Library Services. This increase in LC requests is attributable in part to several orientations and briefings held by CAD to promote copyright acquisitions, a cooperative program with NSDP to acquire serials assigned ISSN, improved statistical reports capable of capturing all LC requests, and reduction in LS acquisition funds resulting in greater reliance on copyright acquisitions. In addition to the above statistics, the serial acquisitions team received 55,401 serial pieces valued at \$1,648,051.

**Cases Referred:** The following cases were referred to the U.S. Justice Department for legal action:

TLC Publishing Inc. publishes books about trains and railways in North America. No response was received for a demand for fifty-nine (59) publications. The Division's principal Legal Advisor from the Copyright General Counsel sent a letter to TLC Publishing, Inc. on July 29, 2004, and referred the case to the U.S. Justice Department on November 3, 2004. The Department of Justice took action to enforce the mandatory deposit requirement on March 7, 2005. The required deposit copies were immediately received.

Editorial Castilla La Vieja, located in Horsham, PA, has published several Spanish language reference resources, mainly science related dictionaries. A demand for seven titles was originally submitted to the publisher, March 2004. Kenneth Hornak, the owner of copyrights, repeatedly responded that he would not comply without payment. Mr. Hornak's case was referred to the Justice Department for non-compliance on November 3, 2004; action was taken by the Justice Department on March 8, 2005. A Default Judgment was entered against Mr. Hornak, August 2005. Compliance is still pending.

**Publisher Reviews and Follow-ups:** The Division successfully completed twenty-one (21) publisher reviews and fifteen (15) follow-up reviews. These reviews established effective relationships between the CAD librarians and the publishers involved as well as reminding or informing them of their mandatory deposit requirements. A publisher listing of the individual reviews and follow-ups are provided in Attachment 2.

### **Special Acquisitions Projects and Agreements**

**Group Registration (408) Deposits:** CAD processed 47,165 complimentary serial pieces received under Group Registration. Of these, 41,933 serial pieces were checked-in for addition to the Library's collections, and the remaining 5,232 pieces were processed as discards.

**Speedy Serials:** The serials staff checked in 6,934 Speedy serial pieces, which were transferred to the collections within 48 hours of receipt in the Division.

**Serials claiming initiative:** This fiscal year CAD began a pilot project to systematically monitor and claim 472 U.S. titles from over 253 publishers valued at around \$179,000. Approximately 50% of the titles are "Speedy Serials" and are considered critical to the research needs of CRS and Law Library. The remaining titles are purchased by Library Services in one or more copies with GENPAC and law funds. Library Services will cancel their subscription to these titles if, as expected, copyright copies are acquired on a timely and cost effective basis.

**Special Relief:** Working with LC Recommending Officers the following special relief requests were processed:

**Nielsen Media Research** requested waiver of deposit requirement, which was denied. However, the Copyright Office and the Library agreed to accept the delivery of updates of "DMA Maps and Market Data on CD" up to two years after the date of publication instead of within three months of publication as is normally required. Under this grant of special relief, the 2002-2003 updates were delivered.

**Chemical Educator** is a journal published by Boise State University for teachers of chemistry at all levels. In response to a demand for issues of the print journal the publisher sent a request for special relief to provide the issues on a CD-ROM instead of in print. The printed versions were merely .pdf printouts of the electronic work. Special relief was granted to submit electronic files for all back issues with the understanding that future issues of the annual print .pdf cumulative publication will be deposited in the future. All files associated with volumes 1-9 were submitted on a single DVD.

**Emerald Insight**, formerly MCB University Press, is a UK publisher of print journals. Emerald maintains a full text online database of most of its print journals. The journals cover a wide range of subject areas such as business management, library science, engineering, and applied science and technology. Emerald requested special relief from supplying copies of the printed publications in exchange for giving the Library full text on-line access to its database. The Library agreed to accept the offer. A formal legal agreement with Emerald was drafted by the Copyright Office in consultation with the Library's General Counsel's Office and representatives from Library Services. The agreement should be presented to Emerald during the first quarter of FY2006. Online access presents a win-win situation for both organizations.

**Receiving, Recording and Transferring to LC 407 Deposits:** The Compliance Records Unit (CRU) began the fiscal year with 559 deposits on hand. The staff created 36,126 records for a variety of library materials received through mandatory deposit, a 2,000 increase from FY2004. The unit ended the year with 894 items on hand.

**PART II: Program Management:**  
**Personnel Management:**

Awards: (b) (6)

(b) (6)

Additionally, Ms. Pearson was selected as one of the Copyright Office recipients for the Annual American Intellectual Property Law Association (AIPLA) awards.

Promotions: Luc VO was promoted to the GS-1411-07 Senior Level of the Deposit Technician promotion plan. Jamaal Johnson was promoted to the GS-1411-05 level of the Library Technician Promotion plan. Lauren Fasceski was selected to fill the GS-1410-09 Copyright Acquisitions Specialist (trainee level) position. Lily Sun was promoted to the GS-1410-11 level of the Copyright Acquisitions Specialist promotion plan. Taurica Wallace was selected to the GS-1411-07 Copyright Acquisitions Assistant (trainee) position.

Reassignments: Julia Leggett was reassigned to the Knowledge Service Group of the Congressional Research Service Directorate as a GS1410-13 Acquisitions Specialist.

New Hires: Tiffany Jainarine was selected for the Clerk position (work study). Two contract employees, Angela Duah and Robert Garrett, were hired during the third quarter for the serial discard project.

Resignations: David Stokes, work-study student, resigned to attend Bowie State University majoring in Communications.

**Productivity and Workload/Workflow:**

Serials Discard Project: A joint initiative between the Copyright Office and Library Services was implemented in May 2005 to reduce the number of unwanted serials received through copyright deposit. Two temporary contract employees were hired to notify publishers that the Library was not retaining their serial publications and that the copyright deposit requirement was being waived or reduced as appropriate. Other areas of the Copyright Office involved in this initiative include Copyright Cataloging and Examining Divisions. Additionally, the staff of NSDP participates by sending out letters to their ISSN applicants when informing them of their ISSN assignment. During this fiscal year, 2,093 letters were sent canceling 2,667 titles. Of the 2,667 titles, 521 were submitted voluntarily via Section 407; 872 were submitted for copyright registration under Section 408; 292 were submitted under group registration; and 982 under the ISSN program

New ISSN Titles: An arrangement was made with the NSDP to have all titles with newly assigned ISSN's, selected for the collections forwarded to CAD at the end of their processing stage. In-turn, to assure the continuous receipt of these new serial publications, CAD will process mandatory deposit demands as appropriate.

**Security and Safety:** The division's OEC, attended all meetings and kept the staff well informed. The OEC participated in the mock "shelter-in-place" drill and completed the required documents requested by the Copyright Security Manager to update the Division's shelter-in-place requirements. Both the OEC and the alternate completed the Emergency Preparedness Website Training course. The division's emergency plan and related information was entered into the site as required.

**Staff Training and Professional Development:** All Division staff members completed the mandatory Security Awareness Training. Various staff members also completed the following training classes:

Voyager Related Training: Copyright to Voyager training, Copyright Web OPAC, Staff Searching via the Copyright Cataloging Module, COPICS to MARC, Creating Serial Records in Voyager, ILS Searching: Builder and Keyword, ILS Searching: Non-Keyword. And UNICODE.

LCIU Training: Navigating the LCLG, Ethics briefing

Conferences and Meetings: American Library Association Annual Conference, Chicago, Illinois; Digital Library Symposium, University of MD, Computers in Libraries, Washington, D.C.

### **PART III: EEO / Affirmative Action:**

Mentoring Program: CAD's Division chief and one acquisition specialist volunteered as a mentor for the LC mentoring Program. Additionally, one staff member participated as a protégé.

Leadership Development Program (LDP): One acquisition specialist was selected as a participant in the 2004/2005 LDP.

Affirmative Action Tuition Assistance: The following staff members received funding for college courses via the Affirmative Action Scholarship Program: Clifton Knight, Jannease Brown, Keshia Green, and Taurica Wallace.

Affirmative Action Detail Program: Keshia Green was selected for a detail position. However, because she could only participate in one Affirmative Action program, she declined the offer in favor of the tuition assistance.

Advisory Council on Women's Issues (ACWI) – Betty Thorne, from the division, serves as the Copyright representative for the Library wide committee.

### **PART IV: Special Assignments**

## **Copyright Office BPR Implementation:**

Voyager Conversion: CAD staff participated as working group members on several teams: OPAC, Voyager Indexing, and Voyager Conversion during the past year. This year, two members of the CAD Staff were trainers for the new Copyright Voyager system.

Electronic Deposit Pilot: The pilot to test the receipt of electronic works via the new copyright system, Siebel, began around mid-May. First lessons learned were: 1) the system did not work effectively with all browsers. Internet Explorer is the browser tested for Siebel and for now is the preferred browser of choice; and 2) the Microsoft embedded ActiveX security controls prevented the receipt of deposits if ActiveX was not enabled. The ActiveX situation actually resulted in a temporary halt of the pilot. The problem surrounding the ActiveX situation was resolved by the end of the fourth quarter. The pilot is expected to resume during the first quarter of FY2006 and continue through April 2006.

## **Orientations and Briefings:**

Area Studies: During this first quarter the Division completed three presentations for the various sections within the Library Services Area Studies Division. The recommending officers were briefed on the mission of CAD and how the Division could be of service to them in acquiring ethnic resources published in the United States. Several CAD Acquisitions specialists are working with the African Middle East Division (AMED) acquiring ethnic Persian materials in all formats published in the United States. Much of the resources being sought are in the various native languages of the region.

Humanities and Social Science (HSS): Presentation on CAD's mission, policies and procedures were given to three recommending officers from HSS and the Chair of the Collection Development Training Committee.

Selection Officers: Library Services two newly hired selection officers were provided a detailed overview of CAD's operations, including workflow.

## Attachment 1

**Estimated Value of Non-registered Materials Transferred to the Library of Congress**

	Pieces Transferred	Avg. Unit Price	Estimated Value
<b>Books</b>	<b>86,846</b>		<b>\$2,959,431</b>
<i>Ink Print</i>	44,460	\$62.35	\$2,772,081
<i>Electronic Works (ProQuest)</i>	41,791	\$3.94	\$164,657
<i>Microfilm</i>	595	\$38.14	\$22,693
<b>Serials</b>	<b>465,377</b>		<b>\$8,423,392</b>
<i>Periodicals</i>	421,700	\$32.85	\$8,311,707
<i>Ink Print Newspapers</i>	41,400	\$1.00	\$24,840
<i>Microfilm Newspapers</i>	2,277	\$38.14	\$86,845
<b>Computer-related works</b>	<b>2,659</b>		<b>\$1,764,843</b>
<i>Software</i>	117	\$27.67	\$3,237
<i>CD-ROMs</i>	2,542	\$693.00	\$1,761,606
<i>Printouts</i>	0	<i>Indeterminate value</i>	\$0
<b>Motion Pictures</b>	<b>1,768</b>		<b>\$250,793</b>
<i>Videotapes</i>	1,758	\$87.55	\$153,913
<i>Feature Films</i>	10	\$9,688	\$96,880
<b>Music</b>	<b>2,684</b>	\$51.82	<b>\$ 139,085</b>
<b>Dramatic Works, choreography and pantomimes</b>	<b>0</b>	\$62.35	<b>\$0</b>
<b>Other works of the performing arts</b>	<b>0</b>	\$51.82	<b>\$0</b>
<b>Sound Recordings</b>	<b>3,195</b>	\$14.22	<b>\$45,433</b>
<b>Maps</b>	<b>59</b>	\$36.00	<b>\$2,124</b>
<b>Prints, pictures, and works of art</b>	<b>0</b>	\$29.10	<b>\$0</b>
<b>Total</b>	<b>562,588</b>		<b>\$13,585,101</b>

**Attachment 2**

**COMPREHENSIVE PUBLISHER'S REVIEWS**

Advantage Publishers Group  
Alula Records/Alula Visions  
Arcadia Publishing  
Emerald Insight  
Ivory Classics  
Kereshmen Records  
La Caille Nous Publishing, Inc.  
Lexington Books  
Library Video Company/Schlessinger Media  
Marcel Dekker  
Milken Archive of American Jewish Music  
Pro Piano Records  
Routledge  
Sage Publications, Inc.  
Seven Stories Press  
Silman-James Press  
Spon Press  
Templeton Foundation Press  
The Idea Group Inc.  
X Dot 25 Music  
United States Institute of Peace Press

**FOLLOW-UP S**

Abrams Publishing  
Africa World Press/Red Sea Press  
American University in Cairo Press  
Apress LLP  
Artscroll Books/Mesorah  
Assouline Publishing  
Duke University Press  
Eakin Press  
Feldheim Publishers  
New Press  
South End Press  
St. Martins Press  
The Philadelphia Museum of Art (PMA)  
The Society for Sedimentary Geology (SEPM)  
World Scientific

**COPYRIGHT ACQUISITIONS DIVISION  
ANNUAL REPORT  
FISCAL YEAR 2006**

A handwritten signature in cursive script, reading "Jewel Player", is written over a horizontal line.

**Jewel Player  
Chief, Copyright Acquisitions Division  
October 18, 2006**



**COPYRIGHT ACQUISITIONS DIVISION  
FY2006 ANNUAL REPORT**

**Date: October 18, 2006**

**FISCAL YEAR HIGHLIGHTS:**

**Summary of Acquired Works:** During FY 2006 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division (CAD) transferred 655,567 pieces received under mandatory deposit to the Library. Through the demand process CAD acquired 5,887 titles, consisting of 14,909 pieces.

**Comprehensive Reviews and Compliance Reviews:** CAD librarians successfully completed 18 comprehensive reviews and 12 compliance reviews. A listing of the comprehensive reviews and compliance reviews is in Attachment 2.

**PART I: Mission Effectiveness:**

**Acquire works for LC's collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2006**

As indicated in Table 1 below, during FY 2006 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division transferred 655,567 pieces received under mandatory deposit to the Library, an increase of approximately 92,979 pieces from FY 2005. The estimated value of works transferred was calculated at \$17,610,855 when using the average unit prices, an increase of approximately \$4,025,754 from FY2005. (See Attachment 1)

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	Pieces Transferred	Estimated Value
Books	91,991	\$3,427,987
Serials	553,269	\$12,090,583
Computer-related works	2,034	\$1,452,572
Motion Pictures	2,731	\$490,793
Music	733	\$65,560
Sound Recordings	4,617	\$76,181
Maps	171	\$6,532
Prints, pictures, and works of art	21	\$648
Total	655,567	\$17,610,855

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 2**

**CAD Comparative Acquisitions Statistical Report FY 2006**

	<b>FY 06</b>	<b>FY 05</b>	<b>% Change</b>
Titles Received	5,887	4,588	28.31%
Pieces Received	14,909	13,493	10.49%
Value of works received	\$1,101,543	\$1,060,384	3.88%
Registration Fees	\$29,800	\$24,555	21.36%
Recommendations Received	6,568	7,070	-7.10%
Titles Demanded	6,090	6,470	-5.87%
Follow-up Actions	3,853	2,696	42.92%

As indicated in the table above, with the exception of recommendations received and titles demanded, there were increases in all areas. Of special note is the 43% increase in follow-up actions due to the follow-up project detailed under Special Acquisitions Projects. In addition to the above statistics, the serial acquisitions team received 66,248 serial pieces valued at \$1,874,260.

**Cases Referred:** Africa World Press, a publisher dedicated to the publication and distribution of books on the African world. No response was received for three demands totaling 65 publications. The Division's principal Legal Advisor from the Copyright General Counsel sent a letter to Africa World Press on February 13, 2006, due to a continued lack of response; the case was referred to the U.S. Justice Department on April 4, 2006. The Department of Justice took action to enforce the mandatory deposit requirement on September 8, 2006. Compliance is pending.

**Publisher Reviews and Follow-ups:** The division successfully completed 18 Comprehensive Reviews and 12 Compliance Reviews. These reviews established effective relationships between the CAD librarians and the publishers involved as well as reminded or informed publishers of their mandatory deposit requirements. A publisher listing of the individual reviews and follow-ups is provided in Attachment 2. In addition to the traditional book reviews, several reviews were also completed to bring newspaper publishers into compliance in their submission of microfilm reels.

**Special Acquisitions Projects and Agreements**

**Serials check-in:** Copyright serial deposits managed by the Division are checked in and transferred to the Library's collections more timely than any other copyright serials. The titles classed as high priority for CRS and the Law library are transferred within forty-eight (48) hours of receipt and all other are transferred within five (5) days of receipt in the Division. The Division checked in approximately 66,248 serial issues.

**Serials claiming initiative:** A serials librarian (contractor) was hired, in May 2006, to monitor the CAD claims list – a list of U.S. serial titles acquired through copyright deposit and purchase. The purpose of the list is to identify purchase titles that can be considered for cancellation in favor of copyright deposit. At the end of the third quarter, serial titles with a value of \$500 or more were added to the list. Currently, there are 536 titles on the list issued by 307 publishers. For this fiscal year 2006, a total of 1,207 issues were claimed for 225 titles. From the list of monitored titles, 115 or 21% have proven to be totally reliable requiring no claiming at all while 12 publishers are considered to be true problems.

**Delinquent Claims Project:** Timely follow-up of outstanding cases beyond the statutory deadline is often a difficult and overwhelming task. Calendar year 2006 started with implementation of a special initiative to complete all cases that have been in a delinquent state for more than 90 days. The plan was to have one acquisitions specialist solely responsible for closing outstanding cases. A search of the LC ILS acquisitions module identified 118 publishers with 159 open cases representing a total of 1,432 titles with cases at various stages. By the end of the fiscal year, deposits were received and 132 cases closed, 18 had received final notices with compliance pending, 2 cases were with the CO General Counsel and 3 (Africa World Press) had been referred to the Department of Justice. Overall, this trial initiative was considered successful and will be continued.

**Group Registrations Project:** A special project of reviewing the subscription requirements for publishers registering serial deposits under the group registration regulation began in the 4<sup>th</sup> quarter. This registration process allows the Library to receive thousands of serial issues in a timely manner. The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as the paid subscribers. The main focus was on publishers who consistently registered their works using the SE/Group form, but had not entered subscriptions for the Library's collection. This was a critical situation that needed correcting because the single issue provided by the publisher with the copyright registration application was not being forwarded to the collection; consequently these issues and/or titles were not available to the Library's users. Publishers were thoroughly informed of the correct procedures and the advantage of using group registration for serials. The comprehensive reviews added approximately 2,000 back issues to the Library's collection and resulted in 26 new SE/Group subscriptions for the Library for an estimated value of \$6,209.82.

**Special Relief:** Working with LC Recommending Officers the following special relief requests were processed:

**Phoenix USA Record Company** is a small recording company that had never submitted copyright deposits in the past. Due to financial concerns, they requested special relief to deposit only one copy of all older works. Their request was granted, which allowed Phoenix to fulfill their mandatory deposit requirements for all of their earlier published sound recordings. Phoenix USA was also informed that all subsequent deposits would be for the required 2 copies.

Audio Engineering Society applied for special relief for the purposes of registering their print standards publications and providing the Library of Congress with a copy of all 24 standards on CD-ROM. Although the publisher ultimately decided not to formally register the standards publications, the request for special relief was approved allowing for the deposit of the CD-ROMs instead of the paper editions.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Compliance Records Unit (CRU) began the fiscal year with 894 deposits on hand. The staff created 42,786 records for a variety of library materials received through mandatory deposit, a 6,660 increase from FY2005. The unit ended the year with 1,288 items on hand.

## **PART II: Program Management:**

### **Personnel Management:**

Awards: (b) (6)

(b) (6)

(b) (6) Additionally, Ms. Chau was selected as one of the Copyright Office honorees for the Annual American Intellectual Property Law Association (AIPLA) awards.

Promotions: D'Andrea Hamn was promoted to the GS-301-011 Program Specialist position. Lily Sun was promoted to the GS-1410-12 level of the Copyright Acquisitions Specialist promotion plan. Taurica Wallace was promoted to the GS-1411-08 level of the Copyright Acquisitions Assistant promotion plan.

New Hires: Myra Laird hired as the division secretary. Ms. Laird came to the division from CRS.

Resignations: Keisha Green and Nichole Sterling both accepted positions with an outside agency. Tiffany Jainarine, work-study student, resigned to attend Virginia Commonwealth University in Richmond, VA, majoring in business.

### **Productivity and Workload/Workflow:**

Serials Discard Project: A joint initiative from FY05 between the Copyright Office and Library Services to reduce the number of unwanted serials received through copyright deposit continues to show progress. During this fiscal year, 2,094 letters were sent to publishers waiving or reducing their mandatory deposit requirements for 2,728 serial titles. Of the 2,728 titles, 638 were submitted voluntarily under Section 407; 1,497 were submitted for copyright registration under Section 408; 341 were submitted under group registration; and 252 under the ISSN sample issue program. Other areas of the Copyright Office involved in this initiative include Copyright Cataloging and Examining Divisions. Additionally, the staff of National Serials Data Program Section (NSDP) participated by sending out letters to their ISSN applicants when informing them of their ISSN assignments.

**Security and Safety:** The division's Office Emergency Coordinator (OEC) attended all meetings and kept the staff well informed. The OEC participated and assisted with the assembly of several hundred shelter-in-place (SIP) kits to be placed in various Copyright area locations, as well as participating earlier in the year with the testing of the Central Emergency Notification System (CENS). This system notifies employees of emergencies and security related matters through their PCs. CENS has now been implemented throughout the Library.

**Staff Training and Professional Development:** All Division staff members completed the mandatory Security Awareness. Staff also completed the Copyright Voyager training.

**Voyager Related Training:** Voyager with Unicode; Web OPAC, Voyager Unicode: Cataloging module

**Outside Training:** A Digital Discourse: How Will Our World Look Digitized, Sponsored by the Federal Library and Information Center Committee (FLICC) forum on Federal Information Policies held at the Library of Congress's Mumford Room; Massive Digitization Programs and Their Long-Term Implications: Google Print, the Open Content Alliance, and Related Developments sponsored by Washington DC Area Forum on Technology and Humanities held at George Mason University

**LCIU Training:** Reference Collection Orientation; Library of Congress's Digital Future and You Seminars, Work Place Diversity; How to Build Position Descriptions in AVUE; A respectful Workplace free from Harassment and Discrimination; Microsoft Word: Basic, Intermediate and Advanced

**LS IDTD Training:** Principles of Selection and E-Resources Skill builder: The Blog.

**Conferences and Meetings:** American Library Association Annual Conference, New Orleans; Book ExpoAmerica, Washington, D.C., Computers in Libraries, Washington, D.C.

### **PART III: EEO / Affirmative Action:**

**Affirmative Action Tuition Assistance:** Clifton Knight, supervisor for the Compliance Records Unit, received funding for college courses via the Affirmative Action Scholarship Program

## Attachment 1

**Estimated Value of Materials Transferred to the Library of Congress, FY 2006**

	<b>Works Transferred</b>	<b>Average Unit Price</b>	<b>Total Value of Works Transferred</b>
<b>Books</b>	<b>91,991</b>		<b>\$3,427,987</b>
Ink Print	<b>45,336</b>	\$68.20	\$3,091,915
E-Works (ProQuest)	<b>45,477</b>	\$4.18	\$190,094
Microfilm	<b>1,178</b>	\$123.92	\$145,978
<b>Serials</b>	<b>553,269</b>		<b>\$12,090,583</b>
Periodicals	<b>521,700</b>	\$37.71	\$11,803,984
Ink Print Newspapers	<b>29,400</b>	\$1.01	\$17,816
Microfilm Newspapers	<b>2,169</b>	\$123.92	\$268,782
<b>Computer-related works</b>	<b>2,034</b>		<b>\$1,452,572</b>
Software	<b>60</b>	\$29.35	\$1,761
CD-ROMs	<b>1,974</b>	\$734.96	\$1,450,811
<b>Motion Pictures</b>	<b>2,731</b>		<b>\$490,793</b>
Videotapes	<b>2,707</b>	\$90.18	\$244,117
Feature Films	<b>24</b>	\$10,278.15	\$246,676
<b>Music</b>	<b>733</b>	\$89.44	\$65,560
<b>Sound Recordings</b>	<b>4,617</b>	\$16.50	\$76,181
<b>Maps</b>	<b>171</b>	\$38.20	\$6,532
<b>Prints, pictures, &amp; art</b>	<b>21</b>	\$30.87	\$648
<b>Total</b>	<b>655,567</b>		<b>\$17,610,855</b>

1. 60% of "BOOKS" are selected for the collections; 40% are used for the Library's exchange program.
2. 60% of "SERIALS" are selected for the collections, except in the case of Microfilm Newspapers (100% of which are selected).
3. Includes 36 copies selected by the Library under motion picture agreements.

## **Attachment 2**

### **COMPREHENSIVE PUBLISHER REVIEWS**

Amherst Media, Inc  
Asia-Pacific Center for Security Studies  
Audio Engineering Society  
Azica Records  
Caveat Press  
Checkered Past Records  
Disinformation Company Limited  
Epitaph Records  
Estrus Records  
Fantagraphics Books  
Harry N. Abrams, Inc.  
McGraw Hill  
Princeton University Press  
Public Affairs International  
Rizzoli International Publications Inc  
Underwriters Laboratories Inc  
Visible Ink Press  
Yeshiva University Museum

### **COMPLIANCE REVIEWS**

Algora Publishing  
Ambrose Video Publishing  
American University in Cairo Press  
Arcadia Publishing  
Compass Records  
Elsevier Science  
Getty Publications  
Hippocrene Books  
Milken Archive of American Jewish Music  
Princeton University Press  
Soft Skull Press  
Templeton Foundation Press

# COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2007

*Jewel Player*

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Jewel Player  
Chief, Copyright Acquisitions Division  
October, 2007



**COPYRIGHT ACQUISITIONS DIVISION  
FY2007 ANNUAL REPORT**

**Date: October, 2007**

**FISCAL YEAR HIGHLIGHTS:**

**Summary of Acquired Works:** During FY 2007 the Compliance Records Unit (CRU) of the Copyright Acquisitions Division (CAD) transferred 553,218 pieces received under mandatory deposit to the Library. Through the demand process CAD acquired 4,103 titles, consisting of 11,039 pieces.

**Division Relocation:** December 15, 2006 the division moved from its original location in LM438C to their new renovated location in LM524. The move was required as a result of the Copyright Office Business Process Re-engineering (BPR). Under the BPR all divisions not part of the basic registration process, were relocated to the 5<sup>th</sup> floor space formerly occupied by Copyright Cataloging. The move required extensive and detailed planning which greatly impacted the acquisition work of the division.

**Selection:** The division's six acquisition specialists and section head completed selection training and began performing selection duties on all deposits automatically submitted by publishers under Section 407 of the Copyright Law. Previously, the specialists had completed selection for all items received from demands.

**Copyright Voyager:** The DEPOSICS Database, which has maintained the records of all copyright deposits submitted under Section 407, was retired effective August 31, 2007.

**PART I: Mission Effectiveness:  
Acquire works for LC's collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2007**

As indicated in Table 1 below, during FY 2007 the Compliance Record Unit (CPU) of the Division transferred 553,218 pieces received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$15,961,006 when using the average unit prices. (See Attachment 1)

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	Pieces Transferred	Estimated Value
Books	84,114	\$3,321,287
Serials	460,293	\$10,536,334
Computer-related works	2,292	\$1,711,083
Motion Pictures	1,386	\$307,137
Music	79	\$5,120
Sound Recordings	4,074	\$66,651
Maps	300	\$11,805
Prints, pictures, and works of art	50	\$1,590
<b>Total</b>	<b>553,218</b>	<b>\$15,961,006</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 2**

<b>CAD Comparative Acquisitions Statistical Report FY 2007</b>			
	<b>FY 07</b>	<b>FY 06</b>	<b>% Change</b>
Titles Received	4,103	5,887	-30.30%
Pieces Received	11,039	14,909	-25.96%
Value of works received	\$892,310	\$1,101,543	-18.99%
Registration Fees	\$29,625	\$29,800	-0.59%
Recommendations Received	5,636	6,568	-14.19%
Titles Demanded	4,630	6,090	-23.97%
Follow-up Actions	3,501	3,853	-9.14%

The division started this fiscal year with 1,111 LC recommendations on hand, received an additional 5,636 LC recommendations throughout the year and ended the year with 1,358 items on hand.

**Cases Referred:** **Africa World Press** was referred to the Department of Justice (DOJ) during the second quarter of FY2006. This publisher did not respond to correspondence from the division nor did they respond to a letter from the DOJ that was mailed to them on September 8, 2006. Later in December 2006, the DOJ sent a formal complaint to the publisher informing him that a pending suit was ready to be filed with the Federal court in New Jersey. According to the formal complaint, the DOJ was seeking \$250 for each work demanded but not provided, a penalty of \$2,500 and the retail prices of each of the publications or the cost that the Library of Congress would otherwise have to pay in order to acquire the copies. At that time there were 65 outstanding titles. Throughout the year, while the publishers did begin to send other deposits, only nine of the originally requested titles were received. (b) (5)

(b) (5)

**Publisher Reviews and Follow-ups:** The division successfully completed 11 Comprehensive Reviews and 6 Compliance Reviews. These reviews established effective relationships between the CAD librarians and the publishers involved. The reviews have also served to remind and/or inform publishers of their mandatory deposit requirements. A publisher listing of the individual reviews and follow-ups is provided in Attachment 2. Several additional reviews were also completed to bring newspaper publishers into compliance regarding their submission of microfilm reels.

#### **Special Acquisitions Projects and Agreements:**

**Serials check-in:** Copyright serial deposits managed by the division are checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within five (5) days of receipt in the division. However, high priority serials required to support research initiatives for Congress were transferred within two days of receipt. The division checked in approximately 52,152 serial issues.

**Delinquent Claims Project:** Timely follow-up of outstanding cases beyond the statutory deadline is often a difficult and overwhelming task. Calendar year 2007 saw a continuation of a special initiative to close all cases that have been in a delinquent state for more than 90 days. One acquisitions specialist was solely responsible for closing outstanding cases. The objective was to have all 2006 cases closed by the end of the 2007. This year's project started with 116 cases. As of September 30<sup>th</sup>, 74 of the cases have been closed and over 590 deposits were received. It is projected that the remaining 42 open cases will be closed by the end of the year.

**Group Registration Project:** A special project of reviewing the subscription requirements for publishers registering serial deposits under the group registration regulation began in the 3<sup>rd</sup> quarter of FY2006. This registration process allows the Library to receive thousands of serial issues in a timelier manner.

The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers. The main focus was on publishers who consistently registered their works using the SE/Group form, taking advantage of the reduced registration fee but failing to initiate the complimentary subscriptions for the Library's collection. This was a critical situation that needed correction because the single issue provided by the publisher with the copyright registration application was not being forwarded to the collection; consequently these issues and/or titles were not available to the Library's users. Publishers have been thoroughly informed of the correct procedures and the advantage of using group registration for serials. These comprehensive reviews have added approximately 4,044 back issues to the Library's collection and has resulted in 41 new SE/Group subscriptions for the Library.

**Special Relief:** Working with LC Recommending Officers the following special relief requests were processed:

**In the Red Records** - The division received a letter requesting an exemption from the deposit requirement in response to a demand for 89 sound recordings. The publisher could not afford to send all titles requested. Working with a recommending officer, it was decided that only 13 of the requested titles were absolutely required for the collection. Consequently, the publisher was provided relief from having to send the remaining 76 titles. However, all future titles will be submitted for deposit.

**Emerald Publishing Group** - The Copyright Office and Library Services signed an agreement providing special relief from deposit of individual serial issues for all journals published by Emerald. In return, Emerald is providing full text on-line access to their catalogue of over 150+ journal titles. Access via the Library's electronic resource page began in June 2007. Later in August, CAD facilitated a visual online teleconference session using Web-X Technology and hosted by Emerald, which provided a full demonstration of the various functionalities and value added features of the Emerald database. Approximately 20 recommending officers and reference staff members from Library Services attended this session.

**Arphax Publishing Company** - In response to a Mandatory Deposit Notice asking for copies of 165 books, the division received a request for special relief from Arphax Publishing Company. While the publisher was willing to comply with the deposit requirement, the company was a small family-owned venture and felt that they would suffer financial hardship if forced to comply in full. The arrangement agreed upon allowed the publisher to submit single copies of each title, and to send those copies in incremental shipments so that the cost to the publisher was spread out over a period of time. As of the date of this report, the publisher has complied with this agreement and continues to send shipments of titles on a monthly basis.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Compliance Records Unit (CRU) started the fiscal year with 1,288 deposits on hand. The staff created 36,448 records for a variety of library materials received through mandatory deposit. The unit ended the year with 600 items on hand.

**PART II: Program Management:**  
**Personnel Management:**

**Awards:** (b) (6)

(b) (6)

(b) (6)

Additionally, Ms. Hamn was selected as a Copyright Office honoree for the 2007 Annual American Intellectual Property Law Association (AIPLA) awards.



**Promotions:** Ms. Angela Duah and Mr. Michael Lind were promoted to the GS-1411-08 level of the Copyright Acquisitions Assistant promotion plan. Mr. Lind was also later promoted to the GS-1410-09 level of the Copyright Acquisitions Specialist promotion plan. Ms. Taurica Wallace was promoted to the GS-1411-09 level of the Copyright Acquisitions Assistant promotion plan.

**Reassignments:** Mr. Clifton Knight, supervisor of the Compliance Records Unit accepted the position of Copyright Information Specialist in the Public Information Office.

**New Hires:** Mr. D'Andre Newman was hired as work-study student.

**Retirements:** Acquisitions Specialist, Lily Sun retired, effective May 31, 2007.

#### **Productivity and Workload/Workflow:**

**Copyright Voyager:** The DEPOSICS Database, which has maintained the records (1993-2007) of all copyright deposits submitted under the mandatory deposit provisions of Section 407 of the copyright law, was retired effective August 31, 2007. As of September 4, 2007 all new records have been entered directly into the new Copyright Voyager system. After all of the earlier records are imported from DEPOSICS to COP Voyager, the staff will be able to search in one location for all copyright deposits that have been received and processed by the entire office.

**Serials Discard Project:** Library Services and the Copyright Office have supported a joint initiative since FY05 to reduce the number of unwanted serials received through copyright deposit. During this fiscal year, 1,132 letters were sent to publishers waiving or reducing their mandatory deposit requirements for 1,455 serial titles. Of the 1,455 titles, 205 were submitted voluntarily under Section 407; 775 were submitted for copyright registration under Section 408; 139 were submitted under group registration; and 336 under the ISSN sample issue program. Other areas of the Copyright Office involved in this initiative included the Copyright Cataloging and Examining Divisions. Additionally, the staff of National Serials Data Program section (NSDP) participated by sending out letters to their ISSN applicants when informing them of their ISSN assignments.

**Serials claiming initiative:** During the first quarter of the fiscal year, the serials consultants monitored the CAD claims list – a list of U.S. serial titles acquired through copyright deposit and purchase. The purpose of the list is to identify purchase titles that can be considered for cancellation in favor of receipt through copyright deposit. Currently, there are 536 titles on the list issued by 307 publishers. Eighty notices were submitted, claiming 320 issues (114 titles). As the result of claims made, LC received 620 issues (114 titles). The remainder of the year focused on evaluating the titles received under group registration to identify any purchased titles that could be considered for cancellation. With 50% of the titles evaluated, six titles having an annual subscription cost of over \$500, were identified as well as another seven falling under the category of the high cost subscription level. This also indicates, for the most part, that the Library has found subscription issues received as a result of group registration complimentary subscriptions to be very reliable.

**Security and Safety:** The division's Office Emergency Coordinator (OEC) attended all meetings and kept the staff well informed by forwarding the meeting minutes to division staff. Due to the division's move to the fifth floor, a new assembly location during a drill or emergency evacuation was warranted and provided to the staff. The OEC updated the division's emergency plans and submitted them to OSEP for approval. The Shelter in Place (SIP) kits were obtained for the division, but as to date, OSEP has not conducted a SIP drill.

**Staff Training and Professional Development:** All division staff members completed the following mandatory training: IT Security Awareness, Finding Common Ground and the Ethics Briefing. Additional training completed by division staff members included:

**Copyright eCO Related Training:** Siebel-Navigation and Searching; Copyright Voyager

**Center for Learning & Development:** Microsoft Word: Beginning, Intermediate and Advanced; Power Point: Basic Presentations; Momentum-Upgrade Training; Momentum 6.x User Forum; Remedy Work Request; Manage Workforce Performance, Reviewing Performance

**Conferences and Meetings:** Seven librarians from CAD attended the American Library Association (ALA) Annual Conference in Washington, DC. Additionally, three technicians participated in the Support Staff Conference held during the ALA conference. The Division Chief participated in the National Conference of African American Librarians and gave a presentation on mentoring.

**PART III: EEO / Affirmative Action:** The division chief participated in the following activities:

- ALA Spectrum Scholars Professional Options Fair held during the annual ALA Conference this past June, as a representative of the Federal and Armed Forces Libraries Round Table. As a participant, she shared her experiences of 35 years as a professional librarian working with the U.S. Copyright Office and the Department of Army Library Program. Spectrum Scholars are a very diverse group of minority students working toward graduate degrees in the field of Library and Information Science.
- 6th National Conference of African American Librarians, August 2-5, Fort Worth, TX. Using experiences gained from serving as a mentor for the LC Mentor Program and other mentoring programs, she presented a presentation on mentoring to participants of the Black Caucus of the American Library Association (BCALA) Mentor program.

## Attachment 1

Estimated Value of Materials Transferred to the Library of Congress, FY 2007			
	<u>Works Transferred</u>	<u>Average</u>	<u>Total Value of</u>
		<u>Unit</u>	<u>Works Transferred</u>
		<u>Price</u>	
Books (1)	84,114		\$3,321,287
Ink Print	37,066	\$80.81	\$2,995,303
E-Works (ProQuest)	46,049	\$4.31	\$198,471
Microfilm	999	\$127.64	\$127,512
Serials (2)	460,923		\$10,536,334
Periodicals	422,952	\$40.44	\$10,262,507
Ink Print Newspapers	36,000	\$1.03	\$22,248
Microfilm Newspapers	1,971	\$127.64	\$251,578
Computer-related works	2,292		\$1,711,083
Software	33	\$30.23	\$998
CD-ROMs	2,259	\$757.01	\$1,710,086
Motion Pictures	1,386		\$307,137
Videotapes	1,369	\$92.89	\$127,166
Feature Films	17	\$10,586.50	\$179,971
Music	79	\$64.81	\$5,120
Sound Recordings	4,074	\$16.36	\$66,651
Maps	300	\$39.35	\$11,805
Prints, pictures, & art	50	\$31.80	\$1,590
<b>Total</b>	<b>553,218</b>		<b>\$15,961,006</b>

1. 60% of "Books" are selected for the collections; 40% are used for the Library's exchange program.
2. 60% of "Serials" are selected for the collections, except in the case of Microfilm Newspapers (100% of which are selected).
3. The figure for non-registered Periodicals includes: (1) an estimate based on average loads in hampers delivered to Library processing and custodial divisions and (2) a count of serials issues checked in through Copyright Acquisitions Division. For the estimated portion, there was an earlier change in physical method of delivery which decreased the average amount per hamper, but the former per hamper estimate was inadvertently retained. The amount reported in the FY 2006 report was possibly overestimated by up to 20%. The FY 2007 figure reflects a temporary methodology to reach a reasonable estimate. A new method of estimating will be developed for FY 2008.

**Attachment 2**

**COMPREHENSIVE PUBLISHER REVIEWS**

Beezwax Records  
Charlesbridge Publishing  
Dead Reckoning Music  
Gorgias Press LLC  
Juris Publishing  
McGraw Hill  
Modular Moods Records  
Monkfish Book Publishing Company  
Oh Boy Records  
Paradigm Publishers  
University of Minnesota Press

**COMPLIANCE REVIEWS**

Amber Books  
Harry N. Abrams  
Hong Kong University Press  
Monthly Review Press  
Saint Vladimir's Seminary Press  
Transnational Publishing

# COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2008

*Jewel Player*

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Jewel Player  
Chief, Copyright Acquisitions  
Division  
October, 2008



**COPYRIGHT ACQUISITIONS DIVISION  
FY2008 ANNUAL REPORT**

**Date: October, 2008**

**PART I: Mission Effectiveness:  
Acquire works for LC's Collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2007**

As indicated in Table 1 below, during FY 2008 the Technical Processing Unit (TPU) of the Division transferred 341,975 pieces received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$9,207,580 when using the average unit prices per Bowkers Annual. (See Attachment 1)

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	Pieces Transferred	Estimated Value
Books	87,031	\$3,073,883
CD/DVDs	3,100	\$77,500
Serials	248,336	\$5,625,178
Microforms	3,009	\$395,593
Motion Pictures	0	0
Video recordings	280	\$26,009
Printed music	77	\$3,850
Maps	142	\$5,566
Photographs	0	0
Prints/Posters	0	0
<b>Total</b>	<b>341,975</b>	<b>\$9,207,580</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 2**

<b>CAD Comparative Acquisitions Statistical Report FY 2008</b>			
	<b>FY 08</b>	<b>FY 07</b>	<b>% Change</b>
Titles Received	3,544	4,103	-13.62%
Pieces Received	7,859	11,039	-28.81%
Value of works received	\$539,939	\$892,310	-39.49%
Registration Fees	\$31,465	\$29,625	6.21%
Recommendations Received	4,446	5,636	-21.11%
Titles Demanded	3,936	4,630	-14.99%
Follow-up Actions	1,649	3,501	-52.90%

The division started this fiscal year with 1,358 LC recommendations on hand, received an additional 4,446 LC recommendations throughout the year and ended the year with 1,736 items on hand.

Significant decreases were seen in all areas. Much can be attributed to: 1) significant staff resources dedicated to testing, training and implementing the division's use of the new Office eCO system; 2) delay in copyright mail and registration processes which resulted in deposits not being received in

CAD; 3) and significant delays in processing both LC requests and deposits received for registration. LC Recommending Officers' trust in relying upon copyright deposits was deeply shaken due to those factors. The Division's challenge will be to reverse this trend for FY09.

#### **Cases Referred:**

**Africa World Press.** Earlier this fiscal year, Ms. Lowry received a partial shipment of books as a result of action taken by the Department of Justice to prosecute a case of non-compliance against the publisher Africa World Press. During the 3<sup>rd</sup> quarter of 2008, the case of U.S. Copyright Office against Africa World Press was assigned a docket number at the U.S. District Court for the State of New Jersey (Case no. 08-1261). To date, CAD has received 2 copies each of 58 of the 59 books demanded; the one remaining title is indefinitely out-of-stock. In addition to receiving the 58 outstanding publications, two copies each of 34 recent publications were received as well. The total value of deposit copies received was \$7,817. The case is now closed and the publisher is in complete compliance.

**Walker and Company.** During the 3<sup>rd</sup> quarter of 2008, Ms. Lowry sent a final notice to Walker and Company for 13 monographic publications that had not been deposited in response to previous notices for mandatory deposit. Walker and Company, based in New York, is a division of Bloomsbury Publishing that publishes books in the areas of history, science, current affairs and self-help. Ms. Lowry initiated the demand for 13 titles resulting from a follow up review of this publisher conducted during the 3<sup>rd</sup> quarter of 2007. In response to the final notice, the publishing house has provided deposit copies for all titles requested. The total value of publications received was \$455 and an additional \$585 was received in corresponding registration fees.

**Comprehensive Reviews:** During this fiscal year, 18 reviews were completed by the division's acquisition specialists.

**Bethany House Publishers:** located in Bloomington, Minnesota, has been publishing high quality books for 50 years. Their mission is to publish religious literature for application in everyday life, producing nearly 120 published titles annually. Senior Acquisition Specialist Ava Everett completed a review covering publications from June 2005 through June 2007. One hundred fifty (150) titles were compiled from the publisher's website, Library of Congress Cataloging in Publications (CIP) records, Books in Print (BIP), and the Washington Post booklists. The compiled list was searched in the Copyright databases and the selection decisions were verified in the LC ILS. From these titles, 37 titles were subject to mandatory deposit. The publisher shipped all 37 titles on December 12, 2007. Value of acquisitions is \$1,110.

**Brioso Recordings:** Based on a thorough search of 58 albums in the various Copyright and Library databases, Senior Acquisitions Specialist Cecile Horowitz found that Brioso Recordings has consistently registered all of their recording with the U.S. Copyright office. No further action is required.

**Falling Mountain Music:** Falling Mountain Music, a small, independent recording label located in the Shenandoah Valley in Virginia produces albums of acoustic American music ranging from traditional to cutting edge contemporary. They also produce recordings of contemporary folk influenced singer-songwriters and instrumentalists. After a review of their current releases in the Copyright and Library databases, Ms. Horowitz requested 18 titles for mandatory deposit in 2006. After consistent follow-up activity, 2 copies of 18 CDs were received in 2008. The total value was \$294.

**Golden Horn Records:** Golden Horn was founded to produce recordings that reflect the best of traditional world music and the richness of new works by musicians on the contemporary world music scene. Golden Horn also aims to be an outlet of exciting new recordings in jazz. Every album they release is a product of collaboration and trust. Ms. Horowitz reviewed all their current releases and requested 30 titles, 19 were sent almost immediately for deposit only; 11 titles remain outstanding.

A follow-up was issued in August 2008 and a quick reply was received stating that the remaining titles would be sent. Golden Horn Records added how proud they were to have their recordings included in the collection at the Library of Congress. The value of their deposits was \$311.

**Judson Press:** located in Valley Forge, Pennsylvania, is the publishing ministry for American Baptist Churches. They offer a full range of religious literature and curricula. Senior Acquisition Specialist Ava Everett reviewed publications from January 2000 to July 2007 and compiled a list of 133 titles from BIP and CIP records. Most of the 133 titles on the compiled list were found in the Library's Collections with a selection decision to keep one. The majority of the titles were received for copyright registration. Only four titles required a mandatory deposit notice. All 4 titles were received as requested. The value of acquisitions is \$400 for the four titles, with \$180 generated in registration fees.

**Kelsey Publishing:** is a small family publishing company, established in 1981, that publishes maps of historical hiking and biking trails that are in the western part of the United States. Based on a request from the publisher, a search was completed to determine their deposit status. After a thorough search, only 6 titles were found to be outstanding. All titles were received, with an estimated value of \$420.

**Legacy Publishers International** is a small publisher located in Denver, CO. They have been active in the publishing industry since 1991. Legacy was previously known as Dennis Leonard Publications. Their mission is to be the leading edge in today's Christian book publishing industry by choosing authors and subjects that challenge Christian complacency with fresh insights that will lead to higher faith and understanding.

A comprehensive list was compiled from the publisher's web site, outstanding LC CIP titles, and Books-in-Print. A list of 83 titles was compiled and searched against the Copyright databases. Only 28 titles were found to have not been previously deposited and requiring a Mandatory Deposit Notice. As a result of the notice, 2 copies of 57 titles were actually received for the collection. The value of acquisition is \$3,876

**Living Traditions:** an organization that is involved in preserving and presenting community-based traditional Yiddish culture to old and new generations through classes, publications, recordings, and documentaries. It also sponsors KlezKamp: The Yiddish Folk Arts Program, which is now in its 24<sup>th</sup> year. Ms Horowitz reviewed the titles that were available in their online store and received 2 copies of the following sound recordings: Zvee Scooler in Der Grammeister, German Goldenshteyn: a living tradition; Live from KlezKamp: the staff concerts, 1985 – 2003, 2004, and 2006; Goldenshteyn Memorial Concert; The Protocols: Hank Sapoznik and the Youngers of Zion; as well as 2 copies of the score From the Repertoire of German Goldenshteyn. The total of the acquisitions were 10 CDs and 2 scores with a value of \$350.

**Nazraeli Press:** was founded in Munich Germany in 1989 and is now based in Portland, Oregon. Nazraeli specializes in books on contemporary photography. The authors and photographers are from the United States, United Kingdom, Germany, Holland, Japan, China, Korea and Burma. The press collaborates closely with the artists it publishes, striving to translate, in an interesting and thoughtful manner, the original artwork into printed form.

Senior Acquisition Specialist, Bernard Mercer had previously demanded works from Nazraeli in 2003 and 2004. The press responded with deposits within 30 days. However, since that time Nazraeli had not deposited any additional works with the U.S. Copyright Office. Therefore, a compliance review was warranted. Recognizing that many of Nazraeli titles were limited editions, Mercer narrowed the scope of the review to the most recent two years. Demands were issued in February and April of 2008 for 90 titles. Fifteen titles were reported as 'out of stock' or 'out of print.' Eight titles are still pending. To date the library has received 67 titles with a monetary value of \$7,779.00.

**Palgrave Macmillan.** Palgrave Macmillan is a large publisher of print publications in the areas of politics, business, history and current affairs. During the 3<sup>rd</sup> quarter, Ms. Lowry contacted Palgrave Macmillan and informed the publishing house that she had identified over five hundred titles published since 2003 that were published under the Palgrave Macmillan imprint and had not yet been received for deposit. She informed the contact that once all of the titles were searched and verified against the deposit records, she would email a spreadsheet containing bibliographic information of those books that were confirmed as not received. In response to Ms. Lowry's phone call, Palgrave Macmillan immediately began sending deposit copies of all books published after April 1, 2008. Copies of 83 titles were received for 407 deposits during the 3<sup>rd</sup> quarter 2008 as a result of this informal contact. Later in the quarter, a demand notice, arranged alphabetically from A-J, was submitted for 503 titles. From this demand, 317 of the requested titles were received along with an additional 300+ titles. Since their initial contact, Palgrave has started submitting many delinquent titles. Next fiscal year a review will be started of the remaining within

**Paradigm Publishers:** established in Boulder, CO in 2003 has published approximately 250 scholarly books in the areas of politics and sociology. During the first quarter of 2007, Ms. Lowry conducted a review of this publisher's holdings and demanded titles for deposit. All titles demanded were received and the publisher promised to continue sending all deposits automatically as published. A follow-up review to confirm continued compliance was completed during the second quarter of FY08 revealing that no deposits had been recorded or received since the initial review.

A list of 37 outstanding titles was submitted to the publisher along with a written reminder to deliver the required deposit copies of each title when published to the Copyright Office. By the end of the fiscal year, 2 copies of all requested titles along with two copies of 32 additional works were received. The average cost for each of these deposits was \$73. The total estimated cost of the 79 titles received was \$10,074. Paradigm is now in full compliance.

**The Quantuck Lane Press:** created by a former and retired Vice President of W.W. Norton, Jim Mairs. A one-man publishing house, The Quantuck Lane Press was launched in the fall of 2002 with an inaugural list of five books. Since 2002 Quantuck Lane Press has published 41 titles. Senior Acquisitions Specialist, Bernard Mercer searched the entire Quantuck Lane catalog against the Library of Congress catalogs and copyright files, and found only five titles to be outstanding. In December 2007, a demand was issued for 5 titles. As of March 7, 2008, Quantuck Lane is in full compliance. The monetary value of their 10 deposit copies was \$344. The Copyright Office collected an additional \$405 in registration fees.

**Rizzoli International Publications, Inc:** of New York is an integral part of its parent company, the Italian communications giant, RCS Media Group. Rizzoli began its publishing operation in 1974 and since that time has become a leader in the fields of art, architecture, interior design, photography, haute couture and gastronomy. In 1990, the Universe imprint was added, marking Rizzoli's entrée into the pop culture worlds of humor, fashion, beauty, sports, performing arts, and gay and alternative lifestyles. Rizzoli also distributes English language titles published by Flammarion, Skira and White Star.

Mr. Mercer reviewed Rizzoli in the spring of 2006. At that time the scope of his review covered works published in 2004 and 2005. A total of 82 titles were demanded. Rizzoli's compliance history has not been consistent, which warranted a compliance review with the scope of 126 titles published in 2006. Of those 126 titles, 9 titles had been received as copyright deposits; of the remaining titles, 82 were subject to mandatory deposit. Notices were issued in September and October 2007. As a result of this review, a total of 127 books valued at \$6,278 were received and transferred to LOC collections. In addition, the Copyright Office collected \$2,925 in registration fees. Rizzoli is in full compliance.

**Springer Science + Business Media:** is a world renowned German publisher of academic works in economics and the natural sciences that maintains an office in Manhattan. Historically, Springer would only provide deposit copies only upon demands received from CAD. This publisher has not deposited voluntarily. The principal science recommending officer in the Library noticed that a large number of Springer S+BM publications had not been received.

Of a sample of 235 book titles collected from OCLC, only 3 had been received in the Library. Senior Acquisitions Specialist Eileen Lowry submitted a demand for the deposit copies of 232 titles. These books began arriving in the Copyright Office at the end of the 2nd quarter of 2008. Finally by the end of the fiscal year, with the exception of 5 out-of-print titles, all were received. At an average cost of \$107 per copy, the total value of this acquisition was \$67,624.

**Toby Press:** Toby Press was founded in 1999 with the aim of publishing fine literature. Over the years the press has been instrumental in discovering new writers. Another emphasis of the press is to publish works in English that have not been previously translated. They also publish new editions of popular authors and low cost quality editions of classic literature.

Ms. Horowitz, based on a request from a recommending officer, completed a review of the publishing practices of The Toby Press. Because of their large number of publications including new titles and new editions, the review was limited to their publications from a list of "Books Jewish & Israeli." This review of 56 titles resulted in a list of 19 works, which were not already in the collection. A demand for those 19 titles was placed during the 2<sup>nd</sup> quarter of 2008. In response to that request 2 copies of 27 titles came in under Section 407 and 1 title came in for copyright registration under Section 408.

**Transnational Publishers:** was an independent company producing publications for the international community until October 2006, when they joined the International Law Program of Martinus Nijhoff Publishers (an imprint of Brill Academic). Since joining Martinus Nijhoff, they continue to publish works written by leading authorities on topics covering human rights law, public and private international law, comparative law, taxation, foreign affairs and political theory. Brill Academic began in 1683 in the Netherlands and has been publishing renowned and reputable scholarly works since then. Based on a request received from a Law recommending officer, Ms. Horowitz began a review of Transnational's loose-leaf service and found 10 titles for which the Library held the basic work but subsequent updates were missing.

Ms. Horowitz submitted a demand notice for 20 updates for the 10 titles. Unfortunately, the notice was received just as Transnational was moving to Brill. Consequently, it required the receipt of a final notice indicating the possible involvement of the U.S. Justice Department before the receipt of any outstanding deposits. By the end of the fourth quarter, updates for all but two titles had been received. Estimated value of updates received was \$1,800.

**The University of California (UC):** was the subject of a publisher review performed in 2002. A subsequent follow-up was completed in 2004. A list of 235 titles was compiled from BIP for the years 2005 and 2006. The University's previous deposit pattern was to register all their titles with the Copyright Office. Ms. Everett searched the Copyright databases and found that UC has submitted the majority of the 2005-2006 titles for copyright registration. Therefore, their deposit habits have improved since the last review. A mandatory deposit notice was sent to the publisher for 30 titles. All titles were shipped on November 20, 2007 for copyright registration. The value of this acquisition was \$4,080 with an additional \$1,350 in registration fees.

**WND Books:** a division of WorldNet Daily (the socially conservative news and opinion website) and World Ahead Publishing was founded in 2002 and specializes in adult nonfiction titles with an emphasis on current events, politics, and history.

In response to a Congressional request for one title, Lauren Fasceski investigated and found several other titles that had not been deposited, and a demand notice was sent for the additional titles. In total, 2 copies each of 17 titles were received, and 13 titles were also sent for registration. Two of the additional titles were later required for Congressional loans. The total value of all copies received was \$751 with an additional 585 in registration fees.

### **Education and Outreach to Publishers:**

**The American Immigration Lawyers Association (AILA):** is the national association for over 10,000 attorneys and law professors who practice and teach immigration law. During the 4<sup>th</sup> quarter of 2007, Ms. Lowry received a single Congressional request for issues of the AILA journal entitled "Immigration Law Today." While researching the publisher's deposit record, Ms. Lowry noticed that the publisher had not deposited many of its other publications. She contacted the publisher, explained the deposit requirement and the current interest in immigration issues that highlighted the importance of AILA publications to the Library's collections. These include titles covering advocacy for asylum seekers and employment-based immigration eligibility resources. As a result of this informal request, the Association not only submitted the originally requested title, "Immigration Law Today," but 25 additional titles as well totaling 158 pieces with an estimated value of \$13,183.

**Heritage Foundation:** During the 3<sup>rd</sup> quarter of 2008, Ms. Lowry received a request to demand issues of a single serial publication from the Heritage Foundation, a conservative think tank located in Washington, DC. After Ms. Lowry explained the deposit requirement to the publisher during the initial contact, the publisher agreed to send 2 copies each of all of the requested issues as well as two copies each of other publications that had not been deposited. Total receipts included 2 copies each of 13 books and 3 serial issues with a total value of \$546.

**Hudson Institute:** is a nonpartisan policy research organization dedicated to innovative research and analysis that promotes global security, prosperity and freedom. Because Hudson sees the complexities within societies, they focus on the often-overlooked interplay among culture, demography, technology, markets and political leadership. Since 1961, their broad-based approach has allowed them to present well-timed recommendations to leaders in government and business.

Based on a congressional request, a demand was initiated for a single work. However, after discovering that the publisher was not in compliance for additional works, Mr. Mercer encouraged the publisher to deposit all outstanding works published from 2005 to October 2007. Hudson complied and submitted all works for copyright registration. Eleven works were deposited valued at \$373. The Copyright Office also collected \$495 in registration fees.

**Society for Imaging Science and Technology (IS&T):** On May 1, 2008 Ms. Lowry mailed a mandatory deposit notice to the Society for Imaging Science and Technology for 11 publications that had been requested by the Library but had not been deposited. The society, formerly known as SPIE (International Society for Optical Engineering), publishes two journals and numerous conference proceedings dealing with subjects such as fiber optic technology, spectroscopic analysis, image processing and more. The contact at IS&T asked Ms. Lowry to identify other publications that had not been deposited. Ms. Lowry collected currently available titles listed at the publisher's web site and searched them against the deposit and registration records and reported to the publisher that all journal issues beyond the first issues published in 2007 had not been deposited and that eleven proceedings publications had not yet been received for deposit. Full compliance is anticipated.

### **Special Acquisitions Projects and Agreements:**

**Delinquent Claims Project:** The Copyright Acquisitions division continues the special initiative to bring to closure the many cases that are beyond the statutory deadline. Earlier in the year, 377 titles from 2006 and 2007 cases were received. A report generated in August 2008, initially identified 242 cases for 776 titles beyond the statutory deadline. One acquisitions team was assigned to resolve these outstanding cases. The team started by searching the Electronic Copyright Office (eCO) system. Throughout the year, many publishers had claimed that their deposits had been submitted to the Copyright Office. Now that more deposits are entered and available for searching in the eCO system, the team was able to close forty cases representing 207 titles. While a few were canceled for various reasons, the majority were closed because deposits were found to have actually been received but were not routed to CAD.



As the team completes their initial searching, and since there has been a significant increase in the number of works available and searchable in eCO, it is anticipated that even more of the titles requested via demand notice will be found to have been submitted for registration. Bringing cases to early and timely closure has been a constant challenge for the division.

**Special Relief:** Working with representative from Library Services, LC and Copyright General Counsel offices, special relief was granted to Hindawi Publishing Company.

**Hindawi Publishing,** a small publisher of approximately 115 scholarly journals (science and technology) requested special relief from the mandatory deposit requirements by replacing printed copies of their publications with on-line access and regular submissions of their archival files for each publication via Portico. Although all journals are considered open-access and freely available via the publisher's web page, expensive subscriptions to the printed versions are available when requested. As the library moves toward the acceptance of electronic copyright deposits for published works, the availability of electronic files from Hindawi was especially attractive. Since all publications are open access, links for all titles within scope for the collection are available via the LC On-line Public Access Catalogue.

## **PART II: Program Management:**

### **Personnel Management:**

#### **Awards:** (b) (6)

(b) (6)

**Promotions:** Ms. Angela Duah-Coles was promoted to the GS-1411-09 level of the Copyright Acquisitions Assistant promotion plan. Mr. Jamaal Johnson was promoted to the GS-1411-06 level of the Copyright Deposits Technician promotion plan. Ms. LaTashae Fletcher was promoted from a GS-1 work-study student to a GS-3 Support Assistant.

**Reassignments:** Mr. Luc Vo, Copyright Technician from the Technical Processing Unit, accepted the position of Information Technology Specialist with the Office of Strategic Initiatives; R&D Digital Web Initiatives in ITS.

**New Hires:** Ms. Rodnika Murphy was hired as work-study student for the 2008-2009 school years. Ms. Murphy is a senior at Bowie High School, Prince Georges County, MD.

### **Productivity and Workload/Workflow:**

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 600 deposits on hand. The staff created 35,285 records for a variety of library materials received through mandatory deposit. The unit ended the year with 800 items on hand. The unit is to be commended for maintaining their production levels in spite of the challenges of learning how to use two new production systems.

**Copyright Voyager:** During this year, the TPU staff began entering records for Section 407 deposits into the Copyright Voyager database. Use of the Voyager systems allows deposit records to be available immediately upon creation; greatly enhancing the search capabilities of the staff within the division's Acquisitions Section. The staff also began training on the creation of records in the eServices part of the eCO System.

**eCO development initiative.** During the majority of this fiscal year, the Division has worked closely with the developers in completing the system functional requirements for Cad's related to Cad's use of the Copyright office's recently implemented, Electronic Copyright Office (eCO) system. Three acquisition specialists and the section head have dedicated 50% or more of their work time to this development initiative. A pilot was started around April allowing actual production in the eCO system for the processing of demand notices. Time allocated to system development and testing has significantly impacted the processing of acquisition requests received from LC recommending officers. The Division currently uses the Library's ILS to generate their demand notices. Once the eCO development is completed, the division will only use the Library's ILS to process serials and newspapers microfilm reels received in the division.

**Serials check-in:** Copyright serial deposits managed by the division are checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within five (5) days of receipt in the division. However, high priority serials required to support research initiatives for Congress were transferred within two days of receipt. The division checked in approximately 68,649 serial issues

**Group Registration Project:** A special project of reviewing the subscription requirements for publishers registering serial deposits under the group registration regulation began in the 3<sup>rd</sup> quarter of FY2006. This registration process allows the Library to receive thousands of serial issues in a timelier manner. The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers. The main focus was on publishers who consistently registered their works using the SE/Group form, taking advantage of the reduced registration fee but failing to initiate the complimentary subscriptions for the Library's collection. Through this initiative, publishers have been thoroughly informed of the correct procedures and the advantage of using group registration for serials.

For FY2008, these comprehensive reviews have added 1,508 back issues to the Library's collection. The subscription value savings to the Library was approximately \$23,340. Additionally, 35 new titles were added as complimentary subscriptions for the Library's collections. The subscription value of the 35 titles is \$6,151.92.

**Serials claiming initiative:** For FY2008, CAD completed seven full reviews of serial titles on the CAD Serials List. The claims list consists of 536 titles, from 306 publishers with the total subscription value being approximately \$300,000 (one copy). Claiming activity continued to increase substantially, with a total of 220 titles and 616 plus issues claimed. The approximate value for those 616 plus issues is \$37,672. In addition to actual claims, there were more than 800 related contacts with publishers.

All subject areas are included, with a particular emphasis on law, science, technology, economics, political science, and the humanities. Also included are a variety of standard reference titles, abstracts, and directories. The majority of these titles are from major / well-known publishers, such as Bowker, Blackwell, Wiley, Gale, Thompson-West, Marquis, and Springer-Verlag.

Additional emphasis was placed on claiming law titles – i.e., those law subscription titles for which the firm orders have been cancelled or for which cancellations are pending, titles from less reliable publishers which require more regular follow-up and contact, and certain more expensive law titles for which the firm orders can be cancelled once a regular receipt record is established.

In order to improve the financial tracking of claim values, current subscription prices are being added to all POs as well as second line items to adequately reflect the two copies of issues received via copyright deposit. Once prices have been added to the POs for all titles on the claims list, it should be possible to generate a statistical report of the actual subscription value of the titles on the claims list. Subscription prices for 2009 are now becoming available, and it is anticipated that prices will have been added to all POs by the end of FY 2009.



**CD-ROM Deposit Agreement:** The division coordinated a meeting with representatives from Library Services, the Copyright Office's General Counsel, as well as the Library's General Counsel to discuss the status of the CD-ROM Deposit Agreements and the LC policy statement which governs the Library's use of CD-ROM copyright deposits that were not under an agreement. Throughout the years, the library has received tens of thousands of CD-ROM resources via copyright deposit. However, less than 300 titles are actually associated with either the "Stand Alone" or "Central File Server" agreements. CD-ROMS are not the format of choice for the Main Reading Room. Workstation configuration and security concerns result in significant challenges in providing service to users.

The following findings and decisions resulted:

1. The Library currently has no CD-ROM resources accessed via a central file server. Therefore this agreement will be terminated and no longer offered in the future.
2. Many of the terms and conditions of the "*Stand Alone Agreement*" are not being honored by the Library. Based on today's policies and practices, many statements are inaccurate. This agreement will also be terminated and no longer offered in the future.
3. The default agreement will become the "*Library of Congress Policy Statement on use of Copyright CD-ROM Deposits*." The "Statement" was revised by CAD and approved by both general counsels and Library Services.
4. CD-ROMS are not the format of choice for the Main Reading Room. Workstation configuration and security concerns result in significant challenges in providing service to users. When possible, CD-ROM deposits should be avoided. Use of many CD-ROM titles has been replaced with purchased subscriptions to their on-line counterparts.
5. CAD will review the list of current agreements and begin to notify publishers of the terminations. This review has started.
6. CAD returned agreements that had been previously submitted, but not signed by the Library to the depositors, referring them to the "*Policy Statement*." Neither of the two publishers expressed any concerns with the withdrawal of the "*Central File Server Agreement*" in favor of the "*Policy Statement*."

**Security and Safety:** During this fiscal year the Division successfully completed the "Shelter-In-Place" exercise. Staff was taken to the division's alternate location in the park prior to the exercise to assure that all staff knew the correct assembly location. The Division is always represented in the monthly emergency preparedness meetings by the Office Emergency Coordinator and/or the Alternate. All SIP leaders completed the required training.

**Staff Training and Professional Development:** **Staff Training and Professional Development:** All Division staff members completed the mandatory IT Security Awareness training. New employees completed the Ethics Briefing and the appropriate supervisors completed the required SIP training, Managing Workforce Performance and the Copyright Office's Supervisors Workshop. Additional training completed by division staff members included:

**Copyright eCO Related Training:** Siebel-Navigation and Searching; Searching Copyright Voyager; Copyright Online registration process, Copyright Voyager-Record input and editing.

**Center for Learning & Development – Online Courses:** Microsoft Word: Beginning, Intermediate and Advanced; Power Point: Basic Presentations; Beginning Excel; Energizing and Empowering Employees; Basics of Budgeting; Perspectives on Conflict; Leadership and the Knowledge Worker; Effective Telephone Techniques; Developing Good Time

Management Habits; Communications Skills for the Workplace; Coping with Criticism and Feedback; Overview to Effective Business Communication; Administrative Functions; Partnering with Your Boss; Reviewing Performance; The Basics of Listening, Identifying Problem Performance.

**Other Library Sponsored Training:** Voyager 6.5 Upgrade Features; Manual Materials Handling; Overview to Effective Business Communication; Managing Workforce Performance; Essential Supervisory Skills; COP Supervisor's Workshop Performance; Structured Interview Training; Accident Investigation for Supervisors, Reference Collections Orientation Series

**Conferences and Meetings:** Acquisitions Librarian, Ava Everett from CAD attended the American Library Association (ALA) Annual Conference in Anaheim, California; Eileen Lowry attended the Computers in Libraries Conference in Washington, D.C.

**PART III: EEO / Affirmative Action:** The Division Chief continues to serve as an informal mentor to previous participants in the LC mentoring program as well as a formal mentor to a current copyright staff member. Per request, she has also worked closely with the Library's HRS/WPD organization in establishing the Career Development Program. Outside activities include continued efforts with the ALA Black Caucus mentoring development committee.

**Attachment 1****Estimated Value of Materials Transferred to the Library of Congress, FY 2008**

	<b>Non-Registration works transferred</b>	<b>Average Unit Price</b>	<b>Total value of works transferred</b>
<b>Books</b>	<b>87,031</b>		<b>\$3,073,883</b>
Book-hardbound	23,486	\$80.08	\$1,880,759
Book-softbound	25,652	\$36.78	\$943,481
e-books (Pro Quest)	57,922	\$4.31	\$249,644
<b>CD/DVDs</b>	<b>3,100</b>	<b>\$25.00</b>	<b>\$77,500</b>
<b>Serials</b>	<b>248,336</b>		<b>\$5,625,178</b>
Periodicals	231,056	\$40.44	\$5,606,343
Newspapers	17,280	\$1.09	\$18,835
<b>Microforms</b>	<b>3,009</b>		<b>\$395,593</b>
Microfilm	3,009	\$131.47	\$395,593
Microfiche	0	\$4.06	\$0
<b>Motion Pictures</b>	<b>0</b>		<b>\$0</b>
Film-35mm/70mm/IMAX	0	\$10,586.00	\$0
Film 16mm	0	\$1,500.00	\$0
<b>Video recordings</b>	<b>280</b>		<b>\$26,009</b>
Videotape	280	\$92.89	\$26,009
<b>Printed music</b>	<b>77</b>	<b>\$50.00</b>	<b>\$3,850</b>
<b>Maps</b>	<b>142</b>	<b>\$39.20</b>	<b>\$5,566</b>
<b>Photographs</b>	<b>0</b>	<b>\$31.79</b>	<b>\$0</b>
<b>Prints/Posters</b>	<b>0</b>	<b>\$31.79</b>	<b>\$0</b>
<b>Total</b>	<b>341,975</b>		<b>\$9,207,580</b>

1 60% of "BOOKS" are selected for the collections; 40% are used for the Library's exchange program.

2 60% of "SERIALS" are selected for the collections, except in the case of Microfilm Newspapers (100% of which are selected).

**U.S. COPYRIGHT OFFICE  
COPYRIGHT ACQUISITIONS DIVISION  
ANNUAL REPORT  
FISCAL YEAR 2009**

*Jewel Player*

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**Jewel Player  
Chief, Copyright Acquisitions  
Division  
October 28, 2009**

**COPYRIGHT ACQUISITIONS DIVISION  
FY2009 ANNUAL REPORT**

**Date: October 28, 2009**

**PART I: Mission Effectiveness:  
Acquire works for LC's Collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2009:**

As indicated in Table 1 below, during FY 2009 the Technical Processing Unit (TPU) of the Division transferred 311,093 pieces, received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$8,102.140 when using the average unit prices per Bowker's Annual. (See Attachment 1)

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	Pieces Transferred	Estimated Value
Books	80,342	\$2,093,086
CD/DVDs	1,486	\$25,262
Serials	225,545	\$5,227,385
Microforms	2,756	\$361,308
Motion Pictures	33	\$349,338
Video recordings	3	\$279
Printed music	843	\$42,150
Maps	85	\$3,332
Photographs	0	0
Prints/Posters	0	0
	<b>311,093</b>	<b>\$8,102,140</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 2**

<b>CAD Comparative Acquisitions Statistical Report FY 2009</b>			
	<b>FY 09</b>	<b>FY 08</b>	<b>% Change</b>
Titles Received	2,775	3,544	-21.70%
Pieces Received	9,388	7,859	19.46%
Value of works received	592,336	\$539,939	9.70%
Registration Fees	19,770	\$31,465	-37.17%
Recommendations Received	4,730	4,446	6.39%
Titles Demanded	2,969	3,936	-24.57%
Follow-up Actions	1,321	1,649	-19.89%

The division started this fiscal year with 1,736 LC recommendations on hand, received an additional 4,422 LC recommendations throughout the year and ended the year with 2,637 items on hand.

Significant staff resources continued to be directed to testing, training, and implementing the division's use of the new Office eCO system; as well as the closure of old cases beyond the statutory deadlines. Both of these initiatives severely impacted the number of new titles requested.

**Cases Referred:**

**TLC Publishing, Inc.** During the 3<sup>rd</sup> quarter of 2009, Ms. Lowry referred TLC Publishing, Inc. to the Copyright Office's General Counsel for failure to deliver 2 copies each of 5 publications before the statutory deadline date for delivery. The five titles came from one demand for a single title and a second demand for four titles that were started by two other acquisitions specialists. Incidentally, Ms. Lowry had to refer the same publisher to the Copyright Office's General Counsel (COGC) on July 14, 2004 for failure to deliver deposit copies of 59 publications that she had demanded. At that time, full compliance was achieved only after the publisher received a letter from the COGC. Searches of the deposit record indicate, that TLC Publishing, Inc. does not usually deposit voluntarily. Compliance is pending.

**Comprehensive Reviews:** During this fiscal year, 16 reviews were completed by the division's Acquisition Specialists.

**Bloomberg Finance L.P.**, a division of Bloomberg L.P. has published a series of titles which provide a concise assessment of current developments in several practice areas. *The Bloomberg Law Reports* feature articles submitted by an international array of law firm in-house counsel and professors who provide additional depth and perspective on the key issues that impact the marketplace. Antitrust & trade, banking & finance law, bankruptcy law, employee benefits, health law and insurance law are just a few of the key issues covered in the series. In response to a request from the Law Library, Bernard Mercer issued demands for 15 titles in October 2008. The publisher met its legal obligation to deposit 2 copies of each work published to date. Furthermore the publisher is committed to providing future issues of titles as published. In addition to the 15 titles demanded, Bloomberg deposited 12 newer titles. The 27 serial titles submitted resulted in a combination of 418 individual issues with an estimated monetary value of \$90, 550.

**Bloomsbury USA**, launched in 1998 by Bloomsbury Publishing Plc, is an independent publisher of high quality fiction and non-fiction. The children's list was launched in 2001. Lauren Fasceski's original demand consisted of 260 titles and the deposit notice was sent at the end of August 2008. At the beginning of the second quarter, there were 10 titles outstanding. By the 3<sup>rd</sup> quarter, 9 titles were received; one title is out of stock indefinitely. The 259 titles received have a total value of \$10,964 with registration fees of \$1400. The case has been closed. The publisher continues to send new titles, both for deposit and for registration.

**Center for American Places at Columbia College Chicago.** The Center was founded in 1990 by former Johns Hopkins University Press editor George F. Thompson, and was purchased by Columbia College Chicago in 2007. The Center's publishing program is designed to enhance the public's understanding of, appreciation for, and affection for the places of the Americas-whether urban, suburban, rural, or wild. The Center brings to publication, on average, 15-20 books per year, under the Center's own imprint and occasionally in association with publishing partners such as the University of Chicago Press. After receiving a request to demand a title needed for loan purposes, Ms. Fasceski noticed that there was no recent history of copyright deposit or registration, and checked the status of the CIP records in the Library Database. On finding many records with no receipts, she continued with the original demand title and then created a new demand for 20 additional titles that had not been received for deposit or registration. These were mailed on Aug 21, 2009. Compliance is pending for the additional titles; the original demand title has been received.

**Daptone Records** is a small, independent, musician-run label that releases Soul, Funk, Gospel and Afrobeat. Based on her review, Ms. Horowitz found that 12 titles had not been deposited. Two copies each of nine titles were received. The remaining three are no longer available.

**Grove/Atlantic** was formed in 1993 when Grove Press, a New York-based publisher of popular fiction since 1951 and Atlantic Monthly Press, formerly an imprint of Little, Brown and Company, merged. Grove/Atlantic is a small publisher of primarily literary fiction and some non-fiction works, whose titles combine the radical-political tradition of Grove Press with fiction, history, politics, memoir and current affairs of Atlantic Monthly Press. During the 3<sup>rd</sup> quarter of 2009, Ms. Lowry found that current issues

of the independently published serial entitled "Atlantic Monthly" had not been received since 2007. Consequently, CAD's Program Specialist, Ms. Hamn requested and received two copies of all issues from 2007 thru the current 2009 issue. Ms. Lowry also found that there were also 34 outstanding monographic titles that had not been deposited by the publisher. Ms. Lowry issued a demand for deposit of the 34 titles. Grove/Atlantic is sending the demanded books for registration and to date they have delivered two copies each of 14 of the 34 titles for registration. Full compliance is pending.

**Hollym International Corp** has been publishing and distributing high quality books in English on Korean-related topics since 1977. On a request from a recommending officer, Ms. Fasceski reviewed their catalog and the Library's CIP records for receipt of titles. 112 titles were found to be missing, and a notice for mandatory deposit was sent on Sep 22, 2009. Compliance is pending.

**Palgrave Macmillan** was formed when St. Martin's Press Scholarly and Reference and Macmillan Press (UK) united their worldwide publishing operations. Palgrave publishes a wide range of books in the humanities and social sciences and presently has over 5,000 active titles. In subjects ranging from political science to history to literature, the list contains original works by many of the foremost academic writers and editors in the world, including several Nobel laureates. In the 4<sup>th</sup> quarter of 2009, Acquisitions Specialist Michael Lind continued a review of Palgrave Macmillan works published in recent years initiated by Ms. Lowry. This previous review covered titles beginning with letters A through J and resulted in the receipt of over 600 titles. Mr. Lind's review covered titles beginning with letters K through Q (demand for titles R through Z is being sent in the first quarter of 2010). This resulted in a demand for 497 titles. Compliance is pending.

**Paradigm Publishers**, a relatively new publisher based in Boulder, CO., whose list of publications has grown to 250 in a little over five years. Paradigm publishes in the areas of social and political sciences. Ms. Lowry made initial contact with Paradigm Publishers during the 4<sup>th</sup> quarter of 2007 and, at that time, informed the publisher about the obligation to deposit published works in the Copyright Office. Ms. Lowry performed a review of Paradigm Publishers titles and mailed a mandatory deposit notice for 95 titles. She obtained full compliance and performed a follow up review during the 4<sup>th</sup> quarter of 2008 to see if the publisher had continued to deposit. Thirty-four titles were demanded as a result of that follow up review. The latest follow up review of Paradigm Publishers completed during the 2<sup>nd</sup> quarter of 2009 shows that this publisher is voluntarily depositing 2 copies of each new book. Of a sample of 36 new titles collected from the publisher's web site, all had been deposited in fulfillment of section 407.

**Resources for the Future (RFF)** is a nonprofit, nonpartisan organization that conducts independent research — rooted primarily in economics and other social sciences — on environmental, energy, natural resources and public health issues. Founded and headquartered in Washington, D.C in 1952, RFF became the first think tank devoted exclusively to natural resources and environmental issues. Over the years RFF has eagerly shared the results of its work with policymakers in government at all levels, environmental and business organizations, academicians, the media, and the interested public. As a result of a Congressional request, Sr. Acquisitions Specialist Bernard Mercer arranged a personal visit with RFF to personally pick-up the title "Perspectives on Sustainable Resources in America." Visiting RFF provided an opportunity to have a face-to-face discussion about mandatory deposit and copyright registration with the newly hired person handling copyright matters. He worked with RFF to identify works that were not in compliance and to identify works that had not been registered. In addition to closing the Congressional loan case within 2 weeks, RFF submitted 18 applications for copyright registration via eCO. Most of the works were published in 2007 which was when the RFF office handling copyright deposits was in transition. The monetary value of the deposit copies is \$2918. The Copyright Office collected \$630 in registration fees.

**Regnery Publishing, Inc.** is a Washington, DC-based publisher of books on conservative intellectual and political ideology. The company was founded in 1947 and moved its offices to Washington in the 1980s. Their catalog—current and past—includes works by many authors who are easily recognizable in the conservative movement: Newt Gingrich, Michael Steele, and William F. Buckley, Jr. to name a few. In the third quarter of 2009, Mr. Lind conducted a review of all Regnery titles

currently available. This search of 305 titles resulted in a demand for only 29 titles not yet deposited with the Copyright Office. Overall, Regnery was found to be a publisher basically in compliance. On August 24, 2009, two copies each of 28 of the 29 demanded titles were received in CAD (1 title is out of print). The total value of the 56 pieces received was \$1294.22.

**Sapientia Press of Ave Maria University.** As Ave Maria University's academic publishing imprint, Sapientia Press seeks to gain an international reputation for excellence in publishing scholarly books aimed at enhancing and promoting Catholic scholarship. Sapientia Press has developed particular specializations in literature, theology, and Catholic social teaching. After receiving a request to demand a title, Ms. Fasceski discovered that while Sapientia had previously sent titles for deposit or registration, in the last few years they had stopped. After contacting the publisher, it seems that they had thought copies were being sent by the printer, but that this was not happening. Also, some few titles had been sent for registration but were not yet in the eCO system. Ms. Fasceski sent a demand for the original requested title, from the LS Loan Division, followed by an additional demand for 28 titles. Ms. Fasceski also took the time to explain to the contact how the eCO registration system worked. All 30 titles have since been received, with a total value of \$1508 and registration fees of \$1050. The publisher is submitting additional titles for registration.

**Sutton Publishing Ltd** established in 1978 is a British publisher of books on archaeology, biography and autobiography, cookery and wine, heritage and local interest, history, military, politics and world affairs and transportation. Sutton is especially strong in the following military categories: English Civil War, WWI on the Western Front, WWII British and naval history, and postwar British naval history. The books are usually well illustrated, some with photo inserts, while battle and campaign books have maps and other useful pictures and illustrations.

Within a months' time Bernard Mercer forwarded two demands to Sutton. "Everett's New Title Service," a recommendation received from a Library Services acquisitions unit was the catalyst for the demands. The publisher promptly responded to one title indicating that the book was out of print and that they "would send once reprinted." The second title eventually required some follow-up action. Although no response was ever received from the publisher, after about 6 weeks, deposits from Sutton and one of its imprints History Press Ltd started to appear on CAD's selection table. The publisher supplied both titles demanded including the title that had been previously reported as out of print and 198 additional titles. The monetary value of the deposits was approximately \$6800.

**Tughra Books** (formerly The Light Publishing) is a U.S.-based publisher with offices in Istanbul, Cairo and Moscow. Tughra publishes works on Islamic religion, art, history, spirituality and traditions. In the fourth quarter of 2009, Michael Lind conducted a review of all available Tughra titles, resulting in a demand for 72 titles. Approximately, one third of these titles had been previously received as single copies as CIP deposits. Copyright had received no titles from Tughra as copyright deposits. Mr. Lind explained to the publisher that CIP deposits do not replace his legal obligation to submit his copyright deposits.

**University of New Mexico Press** in Albuquerque, New Mexico publishes monographic publications about Southwestern and Western American history and literature, archaeology and anthropology, Latin American and border studies, Native American studies, travel and recreation, and children's books. A recent press release about University of New Mexico Press indicated that the press had to cut back its production due to the economic downturn. Using the publishers Spring 2009 catalog, Eileen Lowry conducted a review to see if this publisher had deposited its publications. Of 140 titles searched, all 140 had been received for registration. The catalog also included titles that were distributed but not published by the press. Those were excluded from the review. This publisher is sending two copies of its publications to the Library and is in full compliance.

**Velour Recordings**, the label of Velour Music Group, was founded in 1999. Their releases run the gamut of numerous genres including pop, jazz, funk, dub, hip-hop, electronica, folk and rock. An initial request was sent during the 1<sup>st</sup> quarter of 2009 for titles but by the 4<sup>th</sup> quarter none have been received. Ms. Horowitz contacted their office and was told that they had previously sent their entire catalog in, however no receipts could be confirmed. Unfortunately, they were not sent by any traceable



shipping mode. Velour indicated they would send their entire catalog a second time using a traceable method. As of October 26, 2009, 46 CD have arrived for a total value of \$736.

**Wipf and Stock**, established in 1995, publishes new works in theology, biblical studies, church history, philosophy and related disciplines. They have four imprints: Wipf and Stock, Cascade Books, Pickwick Publications and Resource Publications. The Cascade Books and Pickwick Publications imprints were the focus of this review (the other two imprints are mainly for reprints and their self-publishing arm). Ms. Fasceski had previously demanded titles, Wipf and Stock had never deposited or registered on a regular basis, and their scholarly works are certainly wanted by the Library. Mandatory deposit notices were sent for the 47 titles; all titles requested were received in July 2009 with an estimated value of \$1287.

### **Special Acquisitions Projects and Agreements:**

**Delinquent Claims Project:** During the first three quarters of FY2009, one Acquisitions team, Eileen Lowry and Angela Coles worked on the Delinquent Claims Project, clearing old cases that were well beyond the statutory deadline. Follow up correspondence was sent for 56 cases that included 357 titles. In response to the correspondence, she received 354 monographs, 3 sound recording CDs, 4 serial titles, 1 CD ROM, and 2 maps all with an estimated total value of \$38,286 and registration fees of \$1,495. Ms. Lowry found it necessary to cancel claims for 76 titles because they were either out of print, had no U.S. presence or had to be restarted because of inadequate contact information.

Some cases required no further compliance action because copies had been received, but the cases had not been closed in the Voyager system or required copies were received in CAD in response to previous written notices by other CAD Specialists. Of those, 47 titles had been received via 407 deposits: 44 monographs, 1 serial title and 1 sound recording. The estimated total values of all copies in this category were \$5,907 and registration fees of \$180.

Also during this period, three final letters were mailed and one case was referred to the Copyright Office's General Counsel. In response to one of the three final letters mailed, Ms. Lowry received 2 copies each of 24 titles for registration in full compliance with the original demand. Two additional cases were also closed based on confirmation of delivery but the actual copies were misrouted and never actually received in CAD.

### **Special Relief:**

**Cruise Industry News** is a market report publisher that provides statistics, supplier directory and market forecasts covering the entire worldwide cruise industry. Cruise Industry News publishes an annual report that is wanted by the Library and costs \$695 per issue. The publisher asked Ms. Lowry if the deposit requirement could be waived to preserve the value that the publication has to their paying customers. Ms. Lowry discussed these concerns with an official in the Business Reading Room who had recommended acquiring missing issues for the collection. As a result, the Library agreed to grant blanket special relief to accept (1) one copy of each annual issue published now and in the future instead of two copies each and (2) delayed deposit of up to one year for the delivery of each issue. Delivery of one copy of both the 2007 and 2008 issues were submitted by the publisher.

**Wipf and Stock.** After receiving a request to demand a title, Ms. Fasceski contacted the publisher regarding their obligation to deposit new works with the Copyright Office, and the publisher explained the differences between the imprints and asked for special relief as a small publisher. Ms. Fasceski reviewed their most recent publications from two imprints and compiled a list of 46 titles to be demanded in addition to the title requested by the Library. Special relief was granted for Wipf and Stock to submit single copies of new titles from the Cascade Books and the Pickwick Publications imprints, with the provision that CAD could ask for any title from any imprint to be sent in one or two copies as needed.

**PART II: Program Management:**  
**Personnel Management:**

**Awards:** (b) (6)

(b) (6)

(b) (6) Mrs. Lauren Fasceski also was nominated and selected for the AIPLA award.

**Promotions:** Mr. Jamaal Johnson was promoted to the GS-1411-07 level of the Copyright Deposits Technician promotion plan. Ms. LaTashae Fletcher was promoted from a GS-3 Support Assistant to the GS-1411-05 Library Technician level of the Copyright Deposits Technician promotion plan.

**Reassignments:** Ms. Jannease Johnson, Copyright Technician from the Technical Processing Unit, was reassigned to the Acquisitions Section as a Copyright Acquisitions Assistant, GS-1411-07 under the Acquisitions Section, Library Technician promotion plan.

**New Hires:** Ms. Daria Proud was hired as Assistant Chief, GS-1410-14. Ms. Michelle Campbell was hired as a Copyright Acquisitions Specialist, GS-1410-09 under the Librarian Acquisitions Specialist promotion plan. Ms. Kimberly Buggs was hired as a Copyright Acquisitions Assistant, GS-1411-07 under the Acquisitions Section, Library Technician promotion plan. Mr. Edgar Raines was hired as a Library Technician at the GS-1411-05 level of the Copyright Deposits Technician promotion plan. Ms. Melody Figaroore and Ms. Karenis Foster were hired as work-study students for the 2009-2010 school years. Ms. Figaroore is a senior at Central High School and Ms. Foster is a senior at Dr. Henry A. Wise High School both in Prince Georges County, MD.

**Retirements:** Mr. Stephen Rosenblatt, Copyright Acquisitions Section Head retired on October 3, 2008. Ms. Betty Thorne, Copyright Acquisitions Assistant retired January 2, 2009. Mrs. Ava Everett, Librarian Acquisitions Specialist retired May 2, 2009.

**Productivity and Workload/Workflow:**

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 800 deposits on hand. The staff created 35,414 records for a variety of library materials received through mandatory deposit. The unit ended the year with 500 items on hand. Throughout the fiscal year the unit, in spite of the staffing shortage, training for new staff and the learning of a new system, remained current.

**eCO development initiative.** During the entire fiscal year, the Division continued to work closely with the developers in testing and completing the system functional requirements related to the Division's use of the Copyright office's Electronic Copyright Office (eCO) system. Two acquisition specialists, the Division chief as well as the newly hired Assistant Chief have dedicated 50% or more of their work time to this development initiative. Time allocated to system development and testing has significantly impacted the processing of acquisition requests received from LC recommending officers. The Division currently uses the Library's ILS to generate their demand notices. Once the eCO development is completed, the division will only use the Library's ILS to process serials, newspapers and microfilm reels received in the division.

In addition to the demand process, the team also addressed development issues related to the creating of records for deposits received under Section 407. As a result of these efforts, the Technical Processing Unit was able to commence using eCO to create all of their 407 records of receipt.

Extensive eCO training was provided for CAD staff.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are

generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 69,779 serial issues.

**Group Registration Project:** A special project which involved reviewing the subscription requirements for publishers registering serial deposits under the group registration regulation was begun in the 3<sup>rd</sup> quarter of FY2006. The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. The review's main focus was on publishers who consistently registered their works using the SE/Group form, taking advantage of the reduced registration fee but who then failed to initiate the complimentary subscriptions for the Library's collection. Through review this initiative, publishers have been thoroughly informed of the correct procedures and the advantages of using group registration for serials.

For FY09, these comprehensive reviews have added 420 back issues and 9 new titles to the Library's collection. The subscription value savings to the Library was approximately \$18,000.

**CD-ROM Deposit Agreement:** As a follow-up to an FY08 meeting with Library Services, CAD began the process of notifying publishers that the Library would be terminating all CD-ROM agreements. With the exception of the African and Middle Eastern Reading room, for various technical and logistical reasons, CD-ROMs were not considered the desired format for the collections. For those titles being retained, the publishers were notified that their agreements were being terminated. This group of titles was considered priority for termination notification.

The task of locating and extracting from the various reading rooms, the remaining 300 CD ROM titles was both tedious and time consuming. This initiative required searching and compiling the agreement and holdings location information from the LCILS for the various reading rooms and working with staff in each reading room to locate all CD-ROMS associated with each title. Each agreement provided specific instructions concerning the handling and disposition of these resources. This process had to be completed before any agreement could be cancelled. Cancellation notifications to these publishers will be completed during FY2010.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness and Sexual Harassment Awareness. New employees completed the Ethics Briefing and the new supervisors completed the required SIP training, and Managing Workforce Performance courses. In addition to the mandatory training, each staff member completed one or more optional online or classroom sessions. Additional training completed by division staff members included:

**Copyright eCO Related Training:** Siebel-Navigation and Searching; Siebel training for inputting second copy request and CAD Siebel Training.

**Center for Learning & Development – Online Courses:** Microsoft Word: Beginning, Intermediate and Advanced; Beginning Excel; Communications Skills for the Workplace; The Basics of Listening; Becoming a Manager; A New Manager's Responsibilities and Fears; Effective Interviewing; LCE Essentials Course; Creating Basic Reports with Crystal Reports; Hiring Considerations; Coping with Criticism and Feedback; Developing Good Time Management Habits; Effective Communicating in Teams; Techniques for Better Time Management; The Individual's Role in a Team; Success over Stress; Writing to Reach the Audience; Optimizing E-mail at Work; Avoiding Grammatical Errors in Business Writing; Information Security Awareness; Delivering Your Message, Avoiding Errors in Usage & Punctuation, Problem Solving and Decision Making in Groups; The US Constitution; Communicating with Power and Confidence; Outlook: Completing Searches and Printing Items; Outlook: Getting Started; Outlook: Formatting and Managing E-mail; Outlook: Using the Calendar; Outlook: Using Contracts, Tasks, and Notes; Foundations of Grammar; Communication Etiquette; Structuring, Editing, Saving and Opening Documents in Word 2003; What is Emotional Intelligence?; The Process of Interpersonal Communication.

**Other Library Sponsored Training:** Managing Workforce Performance; Structured Interview Training; Sage Presentation; Elluminate Web Conference; MARC for Non Catalogers; ILS Searching for Serials; ILS Searching for Bibliographic Control Staff; CPR Training Class; Dealing with Performance Problems; Tools For Dealing with Conduct Problems; Federal Benefits and Financial Planning; ILS Web OPAC Searching; Reference Collections Orientation Series, HyperSnap5: Basic.

**Conferences and Meetings:** Acquisitions Librarian, Lauren Fasceski from CAD attended the American Library Association (ALA) Annual Conference in Chicago, Illinois. Jewel Player attended the annual meeting of the Society for Scholarly Publishers and provided information to attendees related to acquiring copyright deposits for works available only online.

**PART III: EEO / Affirmative Action:** The Division Chief continues a mentoring relationship with: One copyright supervisor, one former protégé participant in the previous LC Mentoring program, and one external library manager via the ALA Black Caucus.

The Division's Assistant Chief provided coaching and encouragement to a staff participant in the Library's Career Development Program (CDP). The Assistant Chief and the staff member held weekly reporting sessions providing the staff member an opportunity to discuss her experiences and lessons learned.

**Attachment 1****Estimated Value of Materials Transferred to the Library of Congress, FY 2009**

	<b>Non-Registration works transferred</b>	<b>Average Unit Price</b>	<b>Total value of works transferred to others</b>
<b>Books</b>	<b>80,342</b>		<b>\$2,093,086</b>
Book-hardbound	16,358	\$80.08	\$1,309,949
Book-softbound	14,891	\$36.78	\$547,691
e-books (Pro Quest)	54,628	\$4.31	\$235,447
<b>CD/DVDs</b>	<b>1,486</b>	<b>\$17.00</b>	<b>\$25,262</b>
<b>Serials</b>	<b>225,545</b>		<b>\$5,227,385</b>
Periodicals	215,205	\$40.44	\$5,221,734
Newspapers	8,640	\$1.09	\$5,651
<b>Microforms</b>	<b>2,756</b>		<b>\$361,308</b>
Microfilm	2,748	\$131.47	\$361,280
Microfiche	7	\$4.06	\$28
<b>Motion Pictures</b>	<b>33</b>		<b>\$349,338</b>
Film-35mm/70mm/IMAX	33	\$10,586.00	\$349,338
Film 16mm	0	\$1,500.00	\$0
<b>Video recordings</b>	<b>3</b>		<b>\$279</b>
Videotape	3	\$92.89	\$279
<b>Printed music</b>	<b>843</b>	<b>\$50.00</b>	<b>\$42,150</b>
<b>Maps</b>	<b>85</b>	<b>\$39.20</b>	<b>\$3,332</b>
<b>Photographs</b>	<b>0</b>	<b>\$31.79</b>	<b>\$0</b>
<b>Prints/Posters</b>	<b>0</b>	<b>\$31.79</b>	<b>\$0</b>
<b>Total</b>	<b>311,093</b>		<b>\$8,102,140</b>

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2010

*Jewel Player*

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**Jewel Player**  
**Chief, Copyright Acquisitions**  
**Division**  
**October 20, 2010**

**COPYRIGHT ACQUISITIONS DIVISION  
FY2010 ANNUAL REPORT**

**Date: October 20, 2010**

**PART I: *Mission Effectiveness:*  
Acquire works for LC's Collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2010:**

Technical Processing Unit (TPU) of the Division, as indicated below in Table 1, transferred 324,297 pieces received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$8,865,068 when using the average unit prices per Bowker's Annual. (See Attachment 1)

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	Pieces Transferred	Estimated Value
Books	94,709	\$2,100,865
CD/DVDs	1,095	\$27,375
Serials	223,895	\$6,205,263
Microforms	3,670	\$482,495
Motion Pictures	0	0
Video recordings	1	\$99
Printed music	909	\$48,222
Maps	18	\$749
Photographs	0	0
Prints/Posters	0	0
	<b>324,297</b>	<b>\$8,865,068</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 2**

<b>CAD Comparative Acquisitions Statistical Report FY 2009</b>			
	<b>FY 10</b>	<b>FY 09</b>	<b>% Change</b>
Titles Received	3,582	2,775	29.08%
Pieces Received	9,241	9,388	-1.57%
Value of works received	626,976	\$592,336	5.85%
Registration Fees	23,375	\$19,770	18.23%
Recommendations Received	4,247	4,730	-10.21%
Titles Demanded	4,195	2,969	41.29%
Follow-up Actions	1,755	1,321	32.85%

The division started this fiscal year with 2,637 LC recommendations on hand, received an additional 4,247 LC recommendations throughout the year and ended the year with 1,485 items on hand, reducing the work on hand by 56%

**Comprehensive Reviews:** During this fiscal year, 24 reviews were completed by the Division's six Acquisition Specialists.

**Barricade Books**, located in Fort Lee, New Jersey, is noted for publishing works of nonfiction that test the limits of First Amendment freedoms. Barricade publishes approximately 17 titles per year. Only 9 works were deposited of those published between 2003 and 2009. A demand was issued for 92 titles. Barricade deposited 86 of the titles. Six titles went out of print during the 90 day time frame and no more copies were available. The publisher agreed to deposit works in a more timely fashion in the future, thus avoiding works going out-of-print before depositing. The monetary value of the works deposited this year was \$2996. The publisher is in compliance.

**Bradt Travel Guides** is headquartered in Chalfont St. Peter, Buckinghamshire, United Kingdom. Bradt publishes ground breaking guides incorporating in-depth information on natural history and culture as well where to stay and what to see. The guides they publish often cover parts of the world which are not widely reported in other travel guides.

A comprehensive review covering guides published up to and including October 2009 was completed after establishing that copyright deposits had never been received from this publisher.

A demand for 103 titles was forwarded to Globe Pequot Press, Bradt's U.S. distributor. They not only supplied what was demanded, but included many titles that had not been demanded because they lacked significant U.S. distribution. When informed about the mandatory deposit requirement, Globe Pequot agreed to establish a process to assure the Copyright Office automatically receives future releases of the Bradt Travel Guides. As a result of this review, Globe Pequot Press deposited 132 works with a value of \$3118. Publisher is in compliance.

**Brooklyn Botanic Garden (BBG)** sprouted from an ash dump in 1897 when the New York state legislation reserved 39 acres for a botanic garden. In 1945, BBG published the first title in the gardening book series. The Brooklyn Botanic Garden today represents the best in urban gardening and horticultural display. BBG publishes approximately four titles each year in the Brooklyn Botanic Garden All-Region Guide Series. Reviewing the compliance history of BBG reflected that 26 works were deposited prior to the issuance of recent demands. The BBG Director of Publications was cooperative in complying with the demand within the 90 day time frame. A total of 39 titles were deposited with an estimated value of \$786. Publisher is in compliance.

**Cavity Search Records**, a record label based in Portland, Oregon, was founded in 1992 by Christopher Cooper and Denny Swofford. A review was done resulting in a demand for 43 titles. In response, two copies of 42 titles were sent to CAD at the end of the 4<sup>th</sup> quarter of 2010. One of the 42 titles requested was owned by another label. The value of the works deposited was \$1202. The publisher is considered to be in compliance.

**Center for American Places at Columbia College Chicago**: The Center was founded in 1990 by former Johns Hopkins University Press editor George F. Thompson, and was purchased by Columbia College Chicago in 2007. The Center's publishing program is designed to enhance the public's understanding of, appreciation for, and affection for the places of the Americas-whether urban, suburban, rural, or wild. The Center brings to publication, on average, 15 to 20 books per year, under the Center's own imprint or in association with publishing partners such as the University of Chicago Press.

After researching a request to demand a title needed for loan purposes, it was apparent that there was no recent history of copyright deposit or registration for this publisher. The requested item was demanded immediately, since it was a Congressional request. Then an additional demand for 20 additional titles, published from 2007-2009, was sent on Aug 21, 2009. The original demanded title has been received, and all of the available additional titles, for a total of 18 titles worth \$1526. Publisher is in compliance.



**Center for Basque Studies at the University of Nevada, Reno:** The mission of the Center for Basque Studies is to further Basque-related study by conducting, facilitating, and disseminating original Basque-related research in the humanities and social sciences, in cooperation with appropriate academic departments at UNR, as well as at other American and foreign universities.

While searching a title requested for deposit, it was noticed that although the website showed many published titles, the deposit history consisted of a single title sent for registration, and several CIP receipts. The publisher was contacted, and the difference between CIP and Copyright requirements was explained. A demand notice for 37 titles which were published from 2001-2009 was sent on Jan 21, 2010. Two copies of all 37 titles were received on Mar 26, with a combined value of \$2210. Publisher is in compliance.

**City Lights Publishers** was started in 1955 publish works of social responsibility and progressive thinking, including English translations of "renegade literature" from other countries. After receiving a Congressional request for a City Lights title, research showed that the publisher was sending CIP copies but did not seem to be depositing for Copyright. After searching the titles published in the last five years, a deposit notice was sent on Nov 19, 2009 for 61 titles. As of March 15, 2010, the publisher had submitted two copies of the 60 available titles. The publication date of one title had changed to August 2010. The estimated value of the review is \$1860. Publisher is in compliance.

**Elsevier, Inc.:** In the 2<sup>nd</sup> Quarter, a review was initiated after a recommending officer reported a gap in serial holdings. After verifying that the titles were not being deposited, a demand was sent for 270 science titles. As of the close of the 3<sup>rd</sup> Quarter of FY2010, 240 of the 270 titles have been received for a total value of \$57054. An additional 93 titles were demanded in the 4<sup>th</sup> Quarter. Compliance is pending.

**Hippocrene Books** specializes in foreign-language reference books and ethnic cookbooks. They publish in over 112 languages, and their Dictionary and Phrasebook line covers 75 languages, including Malagasy and Swahili. While searching a title requested for deposit, it became clear that while the publisher was sending in CIP copies for some of their titles, the last copyright deposits they had submitted were in 2006. The publisher was contacted, notified about the mandatory deposit requirement, and in 3<sup>rd</sup> Quarter, a demand was sent for 106 titles published from 1998 to 2009. As of the end of 4<sup>th</sup> Quarter, 97 titles have been received, worth a total of \$4098. Nine titles were out of print. Compliance is pending for the remaining 12 titles.

**Hollym International Corp.** has been publishing and distributing high quality books in English on Korean-related topics since 1977. On a request from a recommending officer, a review was conducted in 4<sup>th</sup> Quarter 2009, which resulted in a demand for 112 titles. By Jan 20, 2010, two copies each of 93 titles were received, for 266 pieces. Status of remaining titles: 13 titles are out of print, four titles are not their publication, and one is out of stock. CAD is on the backorder list for the out of stock title. The total value of the material received is \$6477. Publisher is in compliance.

**Jimoondang International** is a publisher based in Seoul, Korea with distribution in the United States. They publish works in both English and Korean on a wide variety of topics including religion, social science, language, Eastern medicine, art, literature, history and fiction. A contact for the U.S. distribution branch of Jimoondang was located, and a print catalogue, in English, of all Jimoondang titles was requested, since Jimoondang's website is only in Korean.

Mandatory deposit was explained to the distributor, who was previously unaware of the obligation, but understood the purpose, as they regularly submit deposits to the national library in Korea. A demand was placed for 37 titles not already in the LC collections because, although Jimoondang has never deposited, some titles have been previously purchased. As of May, 2010, all 37 titles demanded have been received. The total value of books received through the review is \$558. This case has been closed and the publisher is considered to be in full compliance.

**No Cover Productions** is an independent record label which features all styles of the Blues, ranging from the traditional Delta and Chicago styles to a more rocking Blues sound. No Cover sponsors a summer Blues festival call "Heatstock". The company was formed by Mike Boulian, a former Detroit recording engineer and the president of the Detroit Blues Society. A review was initiated after it was learned that there were no titles in the collection. A demand for 111 titles was sent during the 3<sup>rd</sup> quarter of 2010. The head of the recording company said he would send all the titles that were in their catalog, except for a few which have been removed for legal issues. No deposits have been received, and the case is currently being followed. Compliance is pending.

**Orange Frazer Press**, located in Wilmington, Ohio, publishes about 25 books annually. Their publications focus on a variety of information about the Buckeye State, covering history, sports, biographies, nature and local legends. In the first Quarter of FY 2010, a review of Orange Frazer Press submissions to the Copyright Office over the past few years was conducted, resulting in a demand for 21 titles that had not been received by the Library. By the 3<sup>rd</sup> quarter, all demanded deposits, with an estimated value \$1,065.90, were received. It is also notable that since the review, new releases from the Press have been automatically submitted for deposit. The publisher is in full compliance.

**Origin Records** was created in 1997 by Seattle musician John Bishop. The label debuted on the web in 1998 and has grown steadily. Since 2002, distribution has expanded. Since the fall of 2003, Origin Records has produced the Ballard Jazz Festival. In 2009, Origin Records was recognized as the 2009 Jazz label of the Year by JazzWeek, an influential magazine on Jazz. When it was found that the company had never deposited or registered their works, a demand for 182 titles was sent. In response to the demand, two copies of 167 titles, valued at \$2,670.33, were deposited. The head of the label, John Bishop, has also agreed to put the Copyright Office on a list of recipients who receive gratuity copies of each new release upon publication. Compliance is pending on the 15 titles still outstanding from the demand.

**Palgrave Macmillan**. During the 2<sup>nd</sup> quarter of 2010, it came to CAD's attention that this publisher had stopped sending deposit copies. A search of the deposit records showed that in 2009, Palgrave deposited an average of 80 Palgrave Macmillan titles per month. In January 2010, the number was reduced to seven titles. In February, none were deposited. A follow up action for a small number of titles from a previous outstanding demand was then expanded to include a large number of new titles that were not received via automatic deposit as the publisher had promised. After contacting the manager of the Palgrave's warehouse in Gordonsville, VA and inquiring why deposit copies were not being shipped to the Copyright Office, the warehouse manager contacted the publisher. The publisher then sent deposit copies to fulfill all outstanding demands and resumed automatic shipments of deposit copies. CAD received deposit copies of 238 titles from Palgrave Macmillan during the month of March 2010, with an estimated value of \$12000. Publisher is in compliance.

**Phaidon Press**, with offices in London, Paris, Berlin, Barcelona, New York and Tokyo, advertises that it is the world's leading publisher of books on the visual arts. Subject areas included in the publisher's catalog include fine arts, architecture, design, photography, food and travel; all areas wanted for the Library collections. A review of the publisher's deposit record revealed that the publisher had stopped depositing sometime in 2006. A mandatory deposit notice for 118 titles was sent to Phaidon Press. Several of these books were delivered to the Copyright Office during the 3<sup>rd</sup> quarter. This compliance action has so far resulted in the deposit of one copy each of 64 books with a total value of \$1393. Full compliance is pending.

**Pitspopany Press**, an imprint of the Israel-based Zmanma Marketing Company, publishes titles of special interest to young adult and adult Jewish audiences. Zmanma has offices in the U.S., England and Israel, and distribution in South Africa, Canada and Australia. A demand was placed for a title recommended by the Library's Hebraic Section. When the deposit copies did not arrive in response to the mandatory deposit notice, a review of the publisher's web site revealed 32 additional titles also wanted by the Library. Of 32 titles for sale on the publisher's web site, 11 had not been deposited. A second demand was sent, and in response, the publisher deposited two copies each of all 12 titles, valued at \$368. Publisher is in compliance.

**Pleasure Boat Studio, Inc.** a small, independent literary press based in New York, NY, was established by the current owner in 1996. This press publishes fiction, non-fiction and poetry. CAD received a recommendation to claim deposit copies of one title from this publisher. Upon review, it was discovered that there were additional titles that had not been deposited. These titles were included in the demand. The publisher deposited two copies each of 20 books with an estimated value of \$600. Publisher is in full compliance.

**Princeton University Press** has traditionally submitted their works for copyright registration. However, a review of their publications revealed that 126 monographic titles had not been submitted. A demand notice was issued during the first quarter. Due to limited staffing the Press was granted an extension to fulfill their deposit requirement. By the end of the fiscal year 32 titles had been submitted for copyright registration, with an estimated value of \$5,539 and an additional \$1120 in registration fees. Full compliance is pending.

**Shlock Rock** based on a request from the Judaic specialist in African and Middle East Division, Ms Horowitz and her team did a review of all of Shlock Rock's releases. Shlock Rock is a Jewish rock band that teaches Jewish ideas through music using song parodies, original music in both English and Hebrew and children's song. A demand for 27 titles was issued and 33 were received. Publisher is in full compliance.

**St. Martin's Press:** upon completion of a review covering works published in 2008 and 2009, one hundred titles were found to be outstanding. All titles were later submitted for copyright registration. St. Martins is in compliance.

**Tughra Books** (formerly The Light Publishing) is a U.S.-based publisher with offices in Istanbul, Cairo and Moscow. Tughra publishes works on Islamic religion, art, history, spirituality and traditions. In the fourth quarter of 2009, a review of all available Tughra titles was conducted, which resulted in a demand for 72 titles. Although roughly one third of these titles had been received as single copies in the library, they were CIP copies. Copyright had received no titles from Tughra for either deposit or registration.

As of the first quarter of 2010, all but two demanded titles have been received. One title is permanently out of print; the other is out of stock indefinitely and will be sent if there is ever a reprint, per publisher. Some of the demanded titles were multi-book series. Therefore, the total of items received was 85 titles (170 pieces) at an estimated value of \$2,341. As of March, 2010, Tughra Books is in full compliance. In addition, more recent Tughra publications have been arriving automatically for voluntary deposit.

**University of Arizona Press:** Publishes about 50 books per year in the subject areas of archaeology, space sciences, American Indian studies and works about the American Southwest. Ms. Lowry selected a sample of 21 titles published by this press over the three year period from 2007 through the present. After searching the deposit and registration databases, Ms. Lowry determined that this publisher is in compliance. Of the 21 titles searched, two copies each of 20 had been received for registration. Although the last title did not reach the Copyright Office the Library ultimately received 2 copies of the work for the collections.

**Velour Recordings**, the label arm of Velour Music Group was founded in 1999 by musicians wanting to release the best possible music, including pop, jazz, funk, dub, hip-hop, electronica, folk and rock. A search for Velour Recordings deposits showed that only eight submissions were received through copyright registration. In late 2009, an informal demand was made to Velour Music, requesting two copies of all of their titles subject to mandatory deposit. The company complied by voluntarily sending two copies of 52 titles consisting of 104 CDs, valued at \$1,359. Publisher is in full compliance.

**Publisher Education/Outreach:****Boosey & Hawkes**

Bernard Mercer attended the Book Expo of American held in New York City, May 2010. In addition to attending the Expo, he also made a personal visit to the office of Mr. Brian Suh from Boosey & Hawkes to see why they hadn't responded to approximately 70 outstanding titles he had demanded from the company. During his visit, Mr. Suh was available and explained to Mr. Mercer that the company had relocated and unfortunately the move wasn't handled well and forwarding mail had been a major problem for them. Consequently, they had not received any of the communications sent by Mr. Mercer. Mr. Suh received the hand delivered follow-up letters that Mr. Mercer had brought to New York for him. During their visit, Mr. Mercer was able to stress the importance of promptly responding to a mandatory deposit notice as well as the importance of automatically submitting deposits to the Copyright Office.

**Outreach / Presentations:****Library Services**

**Acquisitions & Bibliographic Access (ABA) Managers:** During the first quarter of FY2010, Cecile Horowitz provided a demonstration of eCO, focusing on CAD's uses of the system. The ABA managers were able to see how CAD is able to search and retrieve deposits requested for the LC collection by recommending officers. They were informed that as deposits were located, they were pulled from the work-on-hand for the Registration Program and immediately placed into the workflow.

**MBRS:** A conference call meeting, chaired by Eileen Lowry, was convened with staff from the Moving Image Section at the Packard Campus, on June 9, 2010. In addition to CAD copyright staff members, representatives from the Office of the General Counsel and the Registration Program also participated in the call. The purpose of the call was to discuss the current status of, or lack there of, claiming moving image materials, more specifically, independent films. The group recognized and agreed on the importance of resuming claiming of moving image materials for the Library. MBRS agreed to provide CAD with a list of key film festivals whose entries the Library wants to receive through mandatory deposit. Prior to the meeting, Ms. Lowry submitted to all participants a draft flyer that would be sent to editors of industry online newsletters and film festival producers for distribution. Rob Stone, of MBRS, was designated to provide CAD with specific MBRS persuasive language to be included in the revised flyer. To avoid missing the opportunity to collect films that are not produced by large studios, the flyer would explain the importance of depositing motion pictures in the Copyright Office to be preserved in the Library of Congress for the benefit of present and future generations of researchers and scholars.

**Hebraic Section:** Recommending officers from the LS/Hebraic Section met with CAD (April 19) to discuss aspects of searching and claiming Chassidic music CDs that are unique to this genre of sound recording. Variations in transliterated Hebrew titles posed obstacles to searching titles properly and thoroughly. Since the genre has a small audience, scarcity of bibliographic data about particular Chassidic music CDs complicated the claiming process. Identifying copyright owners, places of publication and distinguishing new releases from re-released older sound recordings was difficult. This resulted in some requests, received by CAD, with insufficient data being returned to get additional information. The recommending officers from the Hebraic Section offered to assist CAD specialists in the claiming process by providing as much data about a wanted title as possible.

**Recommending Officers:** Over 150 LC recommending Officers attended one of two information sessions presented by CAD staff on September 23 and 29. During these sessions, the recommending Officers were given: 1) an overview of CAD's mission; 2) details of what we can and cannot acquire via the mandatory deposit provisions of the copyright law; 3) instructions of how they should submit requests to CAD; 4) demonstration of the federated metasearch program developed for the Copyright Office by IndexData and; 5) update on the eDeposits initiative. Many comments were received about how valuable they found the information. Sheridan Harvey, recommending officer for women's

studies, sent an email stating, "I just wanted to tell you what a good session I thought you had today for the recommending officers. Before I got there, I thought two hours was too long, but you needed the time. Everyone spoke well and provided really useful information." Michael Neubert, Digital Projects Specialist, message stated, "I attended yesterday's session - it was very good. The young woman Angela did a good job for her part. I was very interested to see that federated tool; it is interesting to be able to have access of any kind to eCO." Dr. Sibyl Moses, recommending officer for Afro-American studies in HSS/ Main Reading Room message stated, "You all presented good information the session was truly informative."

### **Other Presentations:**

**HighWire Press:** CAD chief provided a remote presentation to the annual meeting of HighWire users meeting held in Sanford, CA. The focus of the meeting was to present information related to the interim regulation for mandatory deposit of works published only online.

**Federal Libraries Roundtable, ALA – Annual Program:** CAD's Chief participate on a panel with other national libraries (NML, NAL) discussing the implementation of initiatives related to digital works. Mrs. Player's focus was on the Library of Congress' implementation of the interim regulation to acquire copyright deposits for works published only online.

CAD's Chief also provided presentations to the following organizations focusing on the acquisitions of works for the Library of Congress via mandatory deposits:

Federal Library and Information Center Committee (FLICC), Paraprofessionals Institute  
Government Printing Office's Depository Libraries Annual Meeting  
Library of Congress-Leadership Development Program participants

### **Special Relief:**

**Nazraeli Press:** A request of Special Relief from the Deposit requirement was sent in by Nazraeli Press, a publisher of books on the fine and applied arts. Nazraeli Press originally requested exemption from deposit of all publications that included an original print; one copy of other publications that are produced in editions of 1,000 copies or fewer and 2 copies of all publications that are published in editions of more than 1,000 copies. After consulting with the Prints and Photograph Division, Ms Horowitz recommended that the Copyright Office accept one copy of all publications in compliance with Mandatory Deposit requirement. Special relief was granted for the deposit of one copy of all works.

**Springer Publishing** – In response to a demand for over 300 missing issues for 21 serial titles Springer submitted a request to provide copies of the missing issues via .PDF files on a CD\_ROM or via online access to Springerlink for these specific issues and titles. Per consultation with the Library, this request was denied and Springer was instructed to acquire the desire issues from the back issues dealer to whom they had sold these outstanding issues. Springer is now working to acquire the desired titles and issues as requested.

**West (Thompson Reuters)** - In response to a demand for issues of the "Journal of the American College of Construction Lawyers" sent on Apr 15, 2010, the publisher requested that they be allowed to submit single copies of 5 back issues for deposit & registration because they had no additional copies of those issues. CAD Staff confirmed with LS that one copy would be acceptable then coordinated with RRP for final approval of this request.

**PART II: Program Management:**  
**Personnel Management:**

**Awards:** (b) (6)

(b) (6)

**Promotions:** Ms. LaTashae Fletcher and Mr. Edgar Raines were promoted to the GS-1411-07 level of the Copyright Deposits Technician Promotion plan.

**New Hires:** Mr. Ramon Murphy, senior at Bowie High school was hired as a work-study student for the 2010-2011 academic years. He is working as a clerk in the Technical Processing Unit. Michelle Campbell was hire as an Acquisitions Specialist, GS 1410-9

**Temporary Hires:** Mr. Kendyl Spriggs worked as a summer hire clerk in the Technical Processing Unit; he later resigned to accept a work-study position with NASA. Shariq Rivzi, returned as a temporary employee to the division. He was previously a 2008-2009 work study in the Licensing Division and later a summer hire in CAD.

**Productivity and Workload/Workflow:**

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 800 deposits on hand. The staff created 37,623 records for a variety of library materials received through mandatory deposit. The unit ended the year with 600 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, staff also began processing acquisition requests for 2<sup>nd</sup> deposit copies when the publisher failed to provide the two required copies. This has allowed the TPU staff to be integrated into the workflow of the Acquisitions Section, thus providing a level of cross training,

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 73,865 serial issues.

**Group Registration Project:** A special project which involved reviewing the subscription requirements for publishers registering serial deposits under the group registration regulation was begun in the 3<sup>rd</sup> quarter of FY2006. The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. The review's main focus was on publishers who consistently registered their works using the SE/Group form, taking advantage of the reduced registration fee but who then failed to initiate the complimentary subscriptions for the Library's collection. Through review of this initiative, publishers have been thoroughly informed of the correct procedures and the advantages of using group registration for serials. These comprehensive reviews have added 1,240 back issues including various research and scientific journals. The subscription value savings to the Library was \$66,313.48. There were 48 new SE/Group subscriptions added to the Library's collection, with an estimated savings of approximately \$23,573.27.

**Serial Claiming :** There were 96 claim letters demanding the deposit of missing serial issues sent to publishers during FY 2010. Of the 96 cases created for these claims, two cases were cancelled. One was cancelled due to a title change. The other was cancelled because the missing issues had been received through Copyright registration.

Thirteen publishers who received demands sent in all the missing issues requested, and are in full compliance. The remaining 83 publishers sent in some of the missing issues requested, but full compliance is pending until all outstanding issues are received. Through this claiming endeavor, the total value of the 254 back issues received and added to the Library's collections this fiscal year was \$7,221.36.

**eDeposits Implementation:** Throughout the fiscal year the Division worked toward the goal of implementing the interim regulation, "Mandatory Deposit of Works Published Only Online", effective February 2010. The implementation process included the following activities:

Oct 2009, in response to the Librarian's Management Agenda, continued working with the Task 4 Implementation Group (TIG), with representation from all service units.

December 14, 2009, Organized a small publishers meeting to begin getting input from publishers concerning their workflow and production process for online works. Publishers came prepared to address key questions provided by OSI. Attendance included 14 representatives from 10 publishers.

December 2009-January 2010, CAD staff mapped out projected workflow to demand and receive eSerials.

February 3-5, CAD's Chief attended the annual meeting of the Professional and Scholarly Publishers Division of the American Publisher's Association. These provided an excellent opportunity to network and meet with several publishers on the initial demand list and hear discussions related to concerns of the scholarly publishing industry.

February 24, Interim Regulation became effective.

March 24, CAD's Chief invited to participate in an eJournals Summit sponsored by the National Academy of Science. This was an excellent opportunity to gain insight into the creation and delivery of electronic content. This provided another opportunity to meet with representatives of publishers on the initial demand title listing.

April, eSerials initial demand list from LS and Law Library finalized to include 100 titles from 38 publishers.

May 24-25, CAD with funding from OSI organized a larger publishers' forum to continue and broaden the discussions originally started in December. Over 100 publishers were invited to participate and work with the Library to develop and enhance our electronic deposit retrieval system. There were 65 participants representing 40 publishing organizations. Included was representation from 15 of the 38 publishers on the initial demand title listing.

August 17-18, Division Chief with assistance from Library Services planned special training for CAD staff and other copyright office staff on file formats related to the best edition for electronic deposits.

September 1, First demand for an electronic serial deposit was sent to Springer Publishing, for the "American Association of Pharmaceutical Scientists Journal".

September 19, Received the first notification that an electronic deposit was ready for submission and waiting for LC retrieval, "African Studies Quarterly", from the University of FL.

September 30, 2010 -Electronic deposit from Univ. of FL actually received. By the end of the month a total of 11 demands had been sent for 41 online only serial titles.

**CD-ROM Deposit Agreement:** As a follow-up to an FY08 meeting with Library Services, CAD began the process of notifying publishers that the Library would be terminating all CD-ROM agreements. With the exception of the African and Middle Eastern Reading room, for various technical and logistical



reasons, CD-ROMs were not considered the desired format for the collections. For those titles being retained, the publishers were notified that their agreements were being terminated. This group of titles was considered priority for termination notification.

The task of locating and extracting from the various reading rooms, the remaining 300+ CD ROM titles was both tedious and time consuming. This initiative required searching each title and removing the agreements and holdings location information from the LCILS, and working with staff in each reading room to locate all CD-ROMS associated with each title. Each agreement provided specific instructions concerning the handling and disposition of these resources. This process had to be completed before any agreement could be cancelled.

As of the third quarter of this year, all publishers were notified of the termination of all CD-ROM Agreements. All CD-ROM titles received as copyright deposits are now covered under the Library's Policy statement for CD-ROMS.

**Security and Safety:** During this fiscal major changes were made to the Divisions Emergency Action Team. Charles Lane, Supervisor for the Technical Processing Unit was name as the Office Emergency Coordinator (OEC) and Daria Proud, CAD's Assistant Chief is the alternate. All appropriate documentation was update and they both have completed all required training.

The Division passed the routine safety inspection completed by the Congressional Office of Compliance.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2010 and Getting Started with Outlook 2007. New employees completed the online Ethics Briefing and the US Constitution. In addition to the mandatory training, each staff member completed one or more optional online or classroom sessions. Additional training completed by division staff members included:

**Copyright eCO Related Training:**

The Division Chief, Jewel Player and the Special Assistant, D'Andrea Hamn held a training session on August 13 for the CAD staff. The session was designed to show the various ways to identify records in COP Voyager, ILS Voyager, COP OPAC, 408 Staff OPAC, effective searching in eCO, what various statuses in eCO meant and how they related to the mission of CAD as well as understanding the eCO Mark record vs. the LC ILS Marc record.

**Center for Learning & Development – Online Courses:**

An introduction to Project Management; Avoiding Errors in Usage and Punctuation; Basic Features of Excel 2003; Being prepared for Change; Communicate for Contacts; Copy Cataloging: Searching, Validating and Formatting; Coping with Criticism and Feedback; Difficult People in the Workplace; Effective Telephone Techniques; Effectively Communicating in Teams; Essentials of Electronic Communication; Finding Your Life Balance; Formatting and Managing E-mail: Outlook 2007; ILS Searching for Bibliographic Control Staff; ILS Searching for Serials; Developing Good Time Management; Knowledge of Strategy: Performance Improvements; manager's Performance Guide-Team Conflict Skills; Managing Conflict in the Workplace Simulation; Microsoft Outlook; Overview of Effective Business Communication; Photoshop CS4: Getting Started; Photoshop CS4: Beyond Basics; Siebel 8.1 Upgrade; Technique for Better Time Management; The Individual's Role in a Team; The Process of Interpersonal Communication; The US Constitution; Up and Running with Photoshop 7.0; Using Contacts, Tasks, Notes and Interface in Outlook, Using the Calendar in Outlook 2007 and WWW: Evaluating Web Sites.

**Other Library Sponsored Classroom Training:**

Legal Aspects of Supervision; Macro Express 3: Basic; Essential Supervisory Skills;



## Reference collections and Orientation Series.

### **Conferences and Meetings:**

Jewel Player, Chief of Copyright Acquisitions along with Acquisitions Librarians, Lauren Fasceski, Bernard Mercer and Michelle Campbell attended the American Library Association (ALA) Annual Conference in Washington, D C. Some sessions attended during the conference were:

The Open Access Debate: a Conversation-addressed how license restrictions and escalating costs of scholarly journals are limiting the access to articles for distance students.

Top Technology Trends: a roundtable discussion about trends and advances in library technology by a panel of technology experts which raised many unanswered questions especially to E-readers.

Got Data? New Roles for Libraries in Shaping 21<sup>st</sup> Century Research/Presidents Program: a presentation given by the VP for Research at Rensselaer Polytechnic Institute. This presentation explained how digital data was in the driver's seat for research and how Libraries were the critical partners in the creation, access, use re-use and preservation of research data.

Ms. Eileen Lowry attended the 25<sup>th</sup> annual conference of Computers in Libraries 2010 held April 12-14, 2010 at the Hyatt Regency Crystal City. She attended talks about social networking resources, Internet search strategies, open source tools and archiving and providing access to digital content. She spoke with vendors in the exhibits area from Gale and Elsevier concerning new publications and the delivery of deposit copies of their print publications as well as inquiring of their online only serials.

Mr. Bernard Mercer attended the Book Expo America in New York City May 26-27, 2010 at the Jacob K. Javits Center. There were more than 21,000 industry professionals in attendance. Approximately 300 publishers from all over the world exhibited at the show. His goals for attending the conference were to become more knowledgeable of publishing trends, raise awareness of publishers' obligations to comply with mandatory deposit requirements, identify publishers to review and meet with publishers who have issues/problems fulfilling deposit requirements. He visited 22 publisher's booths which equated to a vast number of different publishing venues during his tenure at the Expo.

Jewel Player, division chief, participated in several publisher based meetings as a means of gaining understanding and insight into the electronic publishing industry in preparation for implementing the interim regulation for acquiring electronic deposits for works available only on line: The annual meeting of the Professional and Scholarly Publishers Division of the American Publisher's Association, The eJournal Summit sponsored by the National Academy of the Sciences (invitation only), and Allen Press Emerging Trends in Scholarly Publishing Seminar

### **PART III: EEO / Affirmative Action:**

**LC Career Development Program (CDP) Support:** CAD's Chief regularly supports the Library's CDP. She works closely with the LC Workforce Development team providing input when requested and by serving as a chair for the applicant interview panel. Always encourage CAD staff to apply and participate in the program and share their experience with other staff members. Three previous CAD participants were encouraged to plan and give a presentation targeted for all Copyright Office staff eligible to apply for the CDP. The purpose of the presentation was to encourage others to apply for this opportunity and to provide tips on the application process. These were paraprofessionals who do not usually have such an opportunity. Both the division chief and the assistant chief meet weekly with their respective CDP direct reports during their involvement in the program as participants.

**Mentoring:** The division chief completed mentoring assignments for two Copyright Aspiring Leaders participants. Mentoring also continues with a young library manager in Cleveland, Ohio via the Black Caucus of the American Library Association.

**Estimated Value of Materials Transferred to the Library of Congress, FY 2010**

	<b>Non- Registration works transferred</b>	<b>Average Unit Price</b>	<b>Total value of works transferred to others</b>
<b>Books</b>	<b>94,709</b>		<b>\$2,100,865</b>
Book-hardbound	15,615	\$83.71	\$1,307,132
Book-softbound	14,438	\$34.51	\$498,255
e-books (Pro Quest)	64,656	\$4.57	\$295,478
<b>CD/DVDs</b>	<b>1,095</b>	<b>\$25.00</b>	<b>\$27,375</b>
<b>Serials</b>	<b>223,895</b>		<b>\$6,205,263</b>
Periodicals	221,015	\$46.78	\$6,203,449
Newspapers	2,880	\$1.05	\$1,814
<b>Microforms</b>	<b>3,670</b>		<b>\$482,495</b>
Microfilm	3,670	\$131.47	\$482,495
Microfiche	0	\$4.92	\$0
<b>Motion Pictures</b>	<b>0</b>		<b>\$0</b>
Film-35mm/70mm/IMAX	0	\$11,231.00	\$0
Film 16mm	0	\$1,500.00	\$0
<b>Video recordings</b>	<b>1</b>		<b>\$99</b>
Videotape	1	\$98.95	\$99
<b>Printed music</b>	<b>909</b>	<b>\$53.05</b>	<b>\$48,222</b>
<b>Maps</b>	<b>18</b>	<b>\$41.59</b>	<b>\$749</b>
<b>Photographs</b>	<b>0</b>	<b>\$33.72</b>	<b>\$0</b>
<b>Prints/Posters</b>	<b>0</b>	<b>\$33.72</b>	<b>\$0</b>
<b>Total</b>	<b>324,297</b>		<b>\$8,865,068</b>

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2011

*Jewel Player*

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Jewel Player  
Chief, Copyright Acquisitions  
Division  
October 19, 2011

**COPYRIGHT ACQUISITIONS DIVISION  
FY2011 ANNUAL REPORT**

**Date: October 19, 2011**

**PART I: Mission Effectiveness:**

**Acquire works for LC's Collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2011:**

The Technical Processing Unit (TPU) of the Division, as indicated below in Table 1, transferred 329,629 pieces received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$10,094,346 when using the average unit prices per Bowker's Annual. Based on a comparison to FY2010, this represents a slight increase of 7,783 pieces and an increase of \$12,292.78 in value over last year.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	81,467	\$2,103,607
CD/DVDs	989	\$24,725
Serials	242,687	\$7,119,407
Microforms	6,102	\$802,230
Motion Pictures	0	0
Video recordings	0	0
Printed music	727	\$39,752
Maps	108	\$4,626
Photographs	0	0
Prints/Posters	0	0
	<b>332,080</b>	<b>\$10,094,347</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 2**

<b>CAD Comparative Acquisitions Statistical Report FY 2011</b>			
	<b>FY 11</b>	<b>FY 10</b>	<b>% Change</b>
Titles Received	3,099	3,582	-13.48%
Pieces Received	10,826	9,241	17.15%
Value of works received	\$1,427,932	\$626,976	127.75%
Registration Fees	11,750	\$23,375	-49.73%
Recommendations Received	4,084	4,247	-3.84%
Titles Demanded	3,365	4,195	-19.79%
Follow-up Actions	803	1,755	-54.25%

The division started this fiscal year with 1,495 LC recommendations on hand, received an additional 4,084 LC recommendations throughout the year and ended the year with 1,781 items on hand, completing 93% of the work received this year. Increase in the overall number of requests on hand is a direct result on the staff focus during FY11 on implementing the receipt of electronic deposits for serials published only online.

**Comprehensive Reviews:** In spite of the eDeposit initiative requiring a significant amount of staff time, the Acquisitions Section did an outstanding job in completing a significant amount of reviews. The section's six acquisitions specialists reviewed and brought into compliance 21 publishers.

**Boosey & Hawkes**, an international music publisher, was formed in 1930 through the merger of two well-established British music businesses and has subsidiaries in Germany, the UK and the US. A total of 213 titles were demanded and received after a request was made by the Music Division to review this publisher of sheet music and scores. The value of the material brought in is approximately \$15,595. Publisher is in compliance.

**Cambria Press** is an independent academic publisher based in Amherst, NY. Cambria was founded in 2006 and publishes, on average per year, 50 academic monographs and new titles by scholars in a wide range of research fields. The publisher was reviewed, and the following were demanded: 70 titles published in 2006-2007, 99 titles published in 2008, 43 titles published in 2009, and 69 titles published in 2010-2011, for a combined total of 281 titles. To date, two copies each of 67 titles have been received in response to the collective demands, with a combined value of \$18,800. In addition, 2 copies of five additional titles were received which were not demanded, with a total value of \$1,120. Full compliance is pending.

**ESRI Press** is the publishing arm of the Environmental Systems Research Institute, Inc. in Redlands, California. The press publishes books on GIS (geographic information system), cartography, and the application of spatial analysis for both public and private endeavor. These include works on land-use planning, health care, education, business, government, and science. A review of the current and

backlist catalog resulted in a demand for 38 titles not previously submitted for mandatory deposit. To date, ESRI has submitted two copies each of 43 titles with a total value of approximately \$3,850.00. Publisher is in compliance.

**Floricanto Press**, located in Mountain View, CA publishes both fiction and non-fiction works by Hispanic authors. An initial demand for a single title went all the way to the final notice stage before the publisher complied. A search for all the other works from this publisher resulted in an additional demand for 47 titles. The case was closed in September 2011, when 2 copies of all 47 titles, with a monetary value of \$2,486, were received. Publisher is in compliance.

**G. Schirmer Inc.** is an American classical music publishing company based in New York City. It was founded in 1861. It publishes sheet music and scores for sale and rental and represents a number of European music publishers as well. A review of this publisher resulted in a demand for 154 titles. The works covered gaps in the collection of G. Schirmer publications covering the years 2000 to 2010. G. Schirmer responded by depositing 302 copies. The monetary value of the deposits was \$4,492. Publisher is in compliance.

**Ketabe Gooya Publishing** in Encino, CA is a small publisher of audio books that feature the works of classic and popular modern Iranian authors. When contacted by CAD, the publisher explained that he created the publishing house from his personal resources to distribute popular Iranian works on audiotape, and depositing two copies of each work would present him with a significant financial burden. The publisher faxed a request for special relief, and the Library agreed to accept one copy of each of the 28 works subject to demand at the time. The works were received and the publisher is in compliance.

**McGraw Hill Company, Inc.,** with its headquarters in New York, NY, is a global publisher in the fields of financial services, education, and business information. After a thorough review, a demand for 85 publications was sent, of which 56 titles were reported by the publisher to be out of print. Two copies each of the remaining 29 titles were received, for a total value of \$2,480. Publisher is in compliance.

**Merge Records**, founded in 1989, is an independent record label based in Durham, North Carolina. The label achieved success with the group Arcade Fire's 2004 release *Funeral*. Since then, many of their recordings have been ranked on Billboards top 200 and some on Billboard's Top Ten. In 2011, Merge was reviewed for compliance. A demand was issued for 46 recent titles which had not been registered or deposited. In response to the demand, two copies each of 39 CDs were received with a total value of \$1,170, plus registration fees of \$1,365. Compliance is pending for the remaining 7 titles.

**No Cover** is an independent record label which features all styles of the Blues, ranging from the traditional Delta and Chicago styles to a more rocking Blues sound. After a review verified that material wanted by the Library was not being deposited, a demand for 111 titles was sent in late 2010. Two copies of 112 CDs were received for a total of \$ \$3,360. Publisher is in compliance.

**Origin Records**, founded in 1997, is a jazz record label based in Seattle, WA. The label debuted on the web in 1998 and has grown steadily ever since. Origin Records has also produced the Ballard Jazz Festival since 2003. Origin Records expanded to three labels with OA2 Records (June 2002), and Origin Classical (April 2008). Of 182 titles demanded, two copies of 169 titles were received, with a total value of \$4,730. Thirteen titles were cancelled due to unavailability. Publisher is in compliance.

**Prestel Publishing** is an international publisher of books on art, architecture and interior design with an office in New York. Prestel was reviewed, resulting in a demand for 46 titles, 15 of which the publisher informed were no longer available. The publisher deposited 67 titles, 31 from the original demand, and 36 additional titles, with an estimated value of \$7,175. Publisher is in compliance.

**Prometheus Books**, founded in 1971, and based in Amherst, NY, publishes about 110 titles per year, in a range of disciplines such as popular science, philosophy, and critical thinking. A review revealed that deposit copies had decreased sharply between 2006 and 2007, due to the publisher reassigning responsibility for copyright matters. Mandatory deposit was explained to the new publisher contact and a demand was issued for 52 titles that were needed for deposit fulfillment. Compliance is pending.

**Solomon Guggenheim Foundation** was founded in 1937, with a mission to promote the understanding and appreciation of art and architecture, and to collect, conserve, and study the art of our time. The publications department publishes books and catalogues to document its exhibitions and collections, renowned for the depth of scholarship as well as a high quality of design and production. A demand was placed for all 26 titles listed in the current Guggenheim publications catalog. The publisher reported that 18 of the titles demanded were out of print. Two copies of the remaining 8 titles, valued at \$560, were received. Publisher is in compliance.

**Soulsearch Music**, a small independent record label and production company in Philadelphia, PA, takes on a limited number of projects each year. Their goal is to be a cooperative launching pad for musicians and producers who have an original approach to composing, performing, and recording music. In 2011, the company was reviewed for compliance. A demand was sent for 11 titles. Two copies of all 11 titles were received, with a total value of \$360. Publisher is in compliance.

**Sunstone Press** was founded in Santa Fe, New Mexico in 1971. Sunstone's original focus was on non-fiction subjects that preserved and highlighted the richness of the American Southwest but it has expanded its view over the years to include mainstream themes and categories--both non-fiction and fiction--that have a more general appeal. Of the 62 titles demanded, 38 were received, with a value of \$352. Although deposit copies could not be obtained for 22 titles which had gone out of print, these titles were previously received by the Library through CIP. The two remaining titles were out-of-print and were not previously received by CIP. Publisher is in compliance.

**Trib Total Media** is the publisher of the Pittsburgh Tribune-Review, the second largest daily newspaper serving the metropolitan Pittsburgh area. A request was sent to CAD to acquire the paper on microfilm, which is the Library's best edition for newspapers. A review was completed, and a demand was sent to Trib Total Media for all microfilm reels covering the newspaper's first issue in December 1992 to the present. As a result of this demand, the library received 457 reels of microfilm valued at approximately \$60,080. The publisher plans to submit all future microform reels to the Copyright Office for registration. Publisher is in compliance.



**University of Houston Law Center** is the leading law school in the nation's fifth-largest legal market, and its curriculum is among the broadest offered in the Southwest. The Law Center deposited back and current issues of all their journal titles in response to a demand. The total deposit of 110 issues from six journals has a monetary value of \$1,537. Publisher is in compliance.

**Vishnu Temple Press** located in Flagstaff, AZ is a small company that publishes and distributes nonfiction books about the Grand Canyon and the Colorado Plateau. A congressional request to acquire a work was expanded to include all other titles published by Vishnu Temple Press. Eleven titles were received in response, with an estimated value of \$427. Six of the titles received were submitted for copyright registration, resulting in \$210 in fees collected by the Copyright Office. Publisher is in compliance.

**Walker & Company**, a division of Bloomsbury, is located in New York City. Walker & Company is noted for 3 major areas – history, science writing and books for younger readers. A compliance review of titles published in 2010 revealed that 19 works were outstanding and eligible for demand. Two copies each of 19 works were received, with a combined monetary value of approximately \$950. Publisher is in compliance.

**Walter de Gruyter** deposited back and current issues of several serial titles in response to a demand issued after a compliance review. The journals covered topics such as geometry, numerical analysis, mathematics and zoology. The publisher eventually complied fully with the demand by depositing 112 issues of 9 journal titles. The monetary value of the deposit was \$14,628. Publisher is in compliance.

**Zephyr Press** is a small press specializing in world literature and poetry in English and translation from Russian, East/Central European languages, Korean, and Chinese. A review revealed there was no history of deposit or registration since the mid-1990s. A demand for 40 titles was issued. As of March 2011, 39 of 40 titles were received, with one remaining title no longer available. The total cost of copies received is \$1,254. Publisher is in compliance.

### **Significant Acquisitions:**

Per recommendation by the library, back issues through the current issue of the Journal of the American Academy of Psychiatry and the Law were demanded to fill gaps in the Library's collection from 1998 forward. In response, the publisher deposited 47 issues with an estimated value of \$2,200.

**Comic Books:** 364 copies of The Savage Dragon were received with a total value of \$1,274. Comic books are a Gold level acquisition for the Library.

**Elsevier, Inc.:** A global company headquartered in Amsterdam, was founded in 1880. It is the world's leading provider of science and health information for educational and professional communities worldwide, publishing about 2,000 journals and close to 20,000 books and major reference works. Several demands for monographs published in 2009 and 2010 were sent to the publisher this fiscal year, with resulting deposits totaling over \$9,100. CAD will continue to place a high priority on working with Elsevier toward voluntarily submission of both books and serials for mandatory deposit.

**Fantagraphic Books:** Is a publisher of comic books, magazines and graphic novels. CAD received a request to fill the large gap in one of the company's titles: The Comics Journal, a magazine of news, criticism, and interviews related to the comic book industry. As a result of this demand, 52 back issues of The Comics Journal were deposited, valued at a total of \$780.

**Best Edition Film Print:** The 35mm film print of "The Kids are All Right", winner of the 2010 Golden Globe Award for Best Motion Picture, nominated for 4 Academy Awards including Best Picture and Best Actress was demanded for deposit, and received by the Copyright Office on June 22, 2011. The estimated value of the copy, consisting of 6 reels of 35mm film, is \$11,231.

**Mozart Operas in Facsimile** from Packard Humanities Institute submitted two copies each of seven operas published in facsimile of Wolfgang Amadeus Mozart's handwritten scores. 38 volumes valued at \$1,650.

**International Encyclopedia of Laws:** From Kluwer Law International, including never before received volumes on international civil, constitutional, contracts, corporate, criminal, energy, intellectual property, labor, medical, sports and tort law. One copy each of 145 volumes is valued at approximately \$28,000.

**Sanborn CitySets®:** Product line is a series of off-the-shelf digital data sets covering the core downtown areas of major cities across the United States. In response to a demand notice, two copies each of 38 Sanborn City Sets on CD-Rom were received through copyright deposit, each with a value of \$9,000, for a grand total of \$702,000.

**SNL Financial LC:** A financial information firm headquartered in Charlottesville, VA, collects, standardizes and publishes corporate, financial, market and M&A data, plus news and analysis, on more than 4,000 public companies and over 50,000 private companies in these industries: Banking, Financial Services, Insurance, Real Estate, Energy and Media & Communications. A demand was issued for the SNL Financial Executive compensation review for Insurance companies, SNL Financial Executive compensation review for Real Estate Securities, SNL Financial Executive compensation review Banks and Thrifts, for the years 2006-2011, and the Deal Book mergers & acquisitions and capital raising in the financial institutions sector, 2010-2011. The material brought in through copyright deposit, a total of 46 pieces, has a value of \$30,600.

#### **Outreach / Presentations:**

- **Library Services:** CAD staff completed a presentation to the managers and supervisors of the Acquisitions and Bibliographic Access (ABA) Directorate on the use of the Copyright Office's Metasearch tools. Additionally, several small group training demonstrations were also given to various Library Recommending Officers throughout the year.
- **Copyright Staff Town Hall meeting:** CAD's Division Chief presented an update to Copyright Staff on the status of implementing the acquisitions of serials published only online via copyright deposit.

- **CAD Overview:** The division chief provided a presentation on the mission and functions of the division to Denise Wofford, Deputy Chief, Copyright Technology Office.
- **Aspiring Leaders, Copyright Office:** The Division chief lead a book discussion for the group participants for the book, "A Legacy of 21<sup>st</sup>-Century Leadership: A guide for creating a climate of leadership throughout your organization" by Les Wallace and James Trinka.
- **Foreign Visitors:** Acquisitions Specialist, Michael Lind represented the division in hosting visitors from both the Korean and Malaysian Intellectual Property Offices. During each of these visits Mr. Lind provided a tour of the division which included a demonstration of the various operations and processes applied in the division's workflows.

#### **Special Relief:**

- **Ketabe Publication Society**, due to financial hardship, was granted special relief to submit one copy of all of their older publications instead of the required two copies. However, the understanding was that two copies of all future publications will be automatically submitted.
- **ZOHO Music**, a small independent label was granted special relief to deposit only one copy of their published CDs. Their initial shipment included 32 titles.

#### **PART II: Program Management:**

##### **Personnel Management:**

**Awards:** (b) (6)

(b) (6)

**Promotions:** Ms. D'Andrea Hamn was promoted to the position GS 0301-12 as an Acquisitions Program Specialist. Ms. Michelle Campbell was promoted to the position GS 1410-11 as an Acquisitions Specialist. Mr. Michael Lind was promoted to the position GS 1410-12, also as an

Acquisitions Specialist. Ms. Jannease Johnson and Ms. Kimberly Buggs were both promoted end year to the position GS 1411-8 and mid summer to GS 1411-9 as Library Technicians.

**New Hires:** Ms. Karen Van Gilder was hired as a Program Specialist, GS 0301-11. Ms. Deborah Kitchen was hired as a contract Acquisition Specialist as a serials librarian.

**Temporary Hires:** Mr. Erik Barnes and Mr. Shariq Rivzi were hired as temporary summer hires to assist the division with several special projects. Mr. Ramon Murphy, high school work study resigned in June to attend Coppin State University. For a four month period, the division was also fortunate to have Ms. Tonya Lewis, detailed from the Information and Records Division.

#### **Productivity and Workload/Workflow:**

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 600 deposits on hand. The staff created 39,786 records for a variety of library materials received through mandatory deposit. The unit ended the year with 200 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, staff continued processing acquisition requests for 2<sup>nd</sup> deposit copies when the publisher failed to provide the two required copies and in July of this year, the Unit began processing letters to publishers SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 74,967 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail

to initiate the complimentary subscriptions yielded 353 back issues of various research and scientific journals. The subscription value savings to the Library was \$18,492.33. Additionally, 13 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$9,905.00.

**Serial Claiming:** Due to the lack of resources, claiming missing serial issues was basically halted this fiscal year. Staffing was not available to continue submitting claims or to follow-up on previously issued claim notices. Of the 18 claim letters submitted, one title converted to online only, another was discontinued. Only six claims resulted in full compliance, providing deposits for 185 missing issues for an approximate value of \$13,787. At the close of the fiscal year a contract serials librarian funded by Library Services was hired. With this additional staffing resource, claiming missing issues will resume for FY 2012.

**Cataloging in Publications (CIP) Claims:** During this fiscal year the division received 14,617 titles from CIP. These are titles where publishers have not fulfilled their obligation to provide one copy to the Library in exchange for the CIP information created by the Library. Additionally, these titles had not yet been received and transferred to the collection as copyright deposits.

An initial list of 13,000 titles was received from CIP in October 2010. Since then, an average of 200 additional titles have been received each month. From the listing, 8,013 titles were searched by temporary CAD staff and Tonya Lewis on detail from the Information and Records Division. From this searching, 832 titles were found to have been previously submitted to the Copyright Office (pulled from the Deposit Copy Storage Unit), no longer available, or received by CIP after the list was submitted to CAD. One hundred and three (103) titles were demanded for mandatory deposit. Due to the division's limited resources, priority attention can not be given to these titles. The division is in the process of developing a strategy that will allow these titles to be incorporated into the normal workflow.

**eDeposits Implementation**

Acquiring electronic deposits via mandatory deposits has been in direct support of the goal of Library of Congress to build its collection of electronic works, starting with online journals that have no print counterparts. This initiative has been known as the "eDeposits Project" and is truly a Library wide effort requiring coordination and cooperation between and across service and support units. Under the auspice of the 2009 Librarian's Management Agenda, the Copyright Office has played a key leadership role in coordinating and managing the project.

Overall, publishers were willing to comply and actually providing much more content than requested. Although demand notice only specified content published since February 2010, in most instances publishers willingly provided content covering the full run of the requested publications, in many instances content dated back ten years or more. However, in spite of specific file format and transmission instruction not one publisher could adhere to these instructions. Consequently, extensive labor intensive processes were required to receive and make the content available for processing.

February 2010, the Copyright Office adopted an interim regulation permitting it to acquire works available exclusively in digital formats. Previously, online-only works were exempt from the mandatory deposit provision of copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. For the initial implementation of the regulation, the Library identified 100 online only serial titles from 38 publishers

The Copyright Acquisitions Division, on behalf of the Copyright Office issued its first mandatory deposit notice on September 1, 2010 to acquire an electronic serial published only online and had received two electronic deliveries for two titles at the end of FY2010. By early first quarter 2011, eleven demands for an additional 41 titles had been submitted. By the end of FY2011 there were:

- 34 demands representing 31 publishers and 90 titles.
- Over 100 thousand files had been received for 85 titles

- 174 actual file deliveries
- 50 unique file extensions

The focus / accomplishments for FY2011 were:

- Demanded, received and processed digital content from the initial group of publishers
- Identified system requirements integrating exiting systems across three service units to process digital content:
  - Copyright Office: Electronic Copyright Office ( eCO) – process CAD demands and receive files uploaded from publishers
  - Office of Strategic Initiative: Content Transfer System (CTS)/ Delivery Management System (DMS) – receive, review and process digital content
  - Library Services: LCILS – Maintain/ manage holding level information
- Collected lessons learned publishers
  - April 2011 – web-conference with smaller publishers
  - May 2011 – Public meeting with larger publishers and third party support partners
  - May 2011 – Meeting with publishers and COP General Counsel staff to discuss article based publishing
- Completed initial deployment for system functionalities as identified in requirements.
  - Began System Testing July 27
  - Began User Acceptance Testing (UAT) September 16.
  - Actual deployment, rescheduled to Oct 17 due to ITS system outage for weekend of September 30.

The successes of FY2011 were only the tip of the iceberg. There are many challenges to be resolved in FY2012. The biggest challenges going forward are resource related.

- Financial: There must be a commitment to allocate adequate financial resource to maintain the level of system development and enhancements required for a fully efficient technical solution. Staff resources are also a major challenge



- **Staffing (OSI):** The packaging and file naming convention applied by existing publishers have been as varied as the number of publishers involved; requiring extensive manual processing by OSI data transfer staff.
- **Staffing (CAD):** The actual file review process is an extensive drain on the small CAD staff. Consequently, processing acquisition requests for other formats are suffering and physical resources may no longer be available once the demand is actually submitted.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2011. New employees completed the online Ethics Briefing, Employee Sexual Harassment Awareness, and the US Constitution. In addition to the mandatory training, each staff member completed one or more optional online or classroom training sessions. All division supervisors participated in the various Supervisor Forums held throughout the year.

Several training sessions and demonstrations were held within the division. Felicia Chau and Shawn Pearson conducted staff training on Serials Workflow. Additionally, in preparation for eDeposit, demonstrations and training for DMS (Delivery Management System) and eCO updates related to the eDeposit launch were held for CAD staff, CTO helpdesk and the Information and Records Division.

The following classroom training, all completely job related, were completed by various division staff members:

Facilitated SkillSoft Course- Excel 2003-Formatting Data and Formulas; Introduction to EmpowHR; ILS Searching for Serials; MARC for Non-Catalogers; Momentum-Desktop Basics and Queries; Multifunction Copier Training-Copying, Printing and Scanning; Subject Curriculum-Mechanics of Searching Cataloger's Desktop; Subject Curriculum: Mechanics of Searching Classification Web, Vulnerability Assessment Training; WWW: Evaluating Websites; and WWW: Working with Multimedia Files on the Web.

Additional online training, as listed on Individual Development Plans, completed by division staff members (including work study student) included:

An Essential Guide to Giving Feedback; An Introduction to Project Management; Avoiding Errors in Usage and Punctuation; Basic Presentation Skills: Planning a Presentation; Being Prepared for Change; Best Features of Excel 2003; Business Writing: Know your readers and your purpose; Business Writing: How to write Clearly and Concisely; Communicate for Results; Communication Etiquette; Coping with Criticism and Feedback; Critical Thinking Skills for Managing; Customer Service Over the Phone; Defensive Driving; Delivering Your Message; Dreamweaver CS4 for Library Web Editors; Dynamic Decision Making; Effective Telephone Techniques; Excel 2003 Formatting Data and Formulas; Excel 2003 Formulas and Functions; Foundations for Grammar; Getting Started With Outlook; Getting Started With Word 2003; Handling Conflict with Others; HTML Introduction; Interpersonal Communication: Communicating with Confidence; JavaScript: Language Basics; Lead and Communicate Effectively as a New Manager; Listening for Comprehension; Making Content Dynamic with DHTML; Microsoft Office 2000- Advanced Word; Microsoft Office 2000- Beginning Excel; Microsoft Office 2000- Beginning Word; Microsoft Office 2000- Intermediate Excel; MS Word Skillbuilder: Margins; Tabs and Indents; MS Word Skillbuilder: Styles and Tables of Contents; MS Word Skillbuilder: Tables; Object-Oriented Analysis and Design...; Participating Effectively in Business Meetings; Perspectives on Conflict; Photoshop CS4: Getting Started; Signs and Tags; Success over Stress; Technical Management; The Process of Interpersonal Communication; Using the Calendar in Outlook 2007; Why Diversity Matters; Writing with Intention; XML APIs; and XML Language Basics.

### **Conferences and Meetings:**

**American Library Association:** Jewel Player, Chief of Copyright Acquisitions attended the American Library Association (ALA) Annual Conference in New Orleans, LA. This was an excellent opportunity to network with publishers, thank those who consistently comply with the mandatory deposit requirements and to inform or reminds others of the requirement.

**JATS (Journal Article Tag Suite Conference)** sponsored by the National Library of Medicine Was attended by Michelle Campbell and Karen Van Gilder .Both gained significant knowledge as to how

publishers are using the NLM DTD standard to publish, author, archive, or interchange journal articles or other documents.

**PART III: EEO / Affirmative Action:**

**LC Career Development Program (CDP) Support:** CAD's Chief continued to supports the Library's CDP (Career Development Program) by servings as chair for an applicants interview panel. All eligible CAD staff were encouraged to apply and participate in the program. This year one staff member was a participant and several others have applied for the FY2012 program.

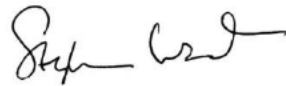
**Mentoring:** The division chief continues to mentor a young library manager in Cleveland, Ohio via the Black Caucus of the American Library Association.

## Attachment 1

## Estimated Value of Materials Transferred to the Library of Congress,

	Non-Registration works transferred	Average Unit Price	Total value of works transferred to others
<b>Books</b>	<b>81,467</b>		<b>\$2,103,607</b>
Book-hardbound	16,170	\$83.55	\$1,351,004
Book-softbound	13,317	\$38.13	\$507,777
e-books (Pro Quest)	51,980	\$4.71	\$244,826
<b>CD/DVDs</b>	<b>989</b>	\$25.00	<b>\$24,725</b>
<b>Serials</b>	<b>242,687</b>		<b>\$7,119,407</b>
Periodicals	238,367	\$49.76	\$7,116,685
Newspapers	4,320	\$1.05	\$2,722
<b>Microforms</b>	<b>6,102</b>		<b>\$802,230</b>
Microfilm	6,102	\$131.47	\$802,230
Microfiche	0	\$5.41	\$0
<b>Motion Pictures</b>	<b>0</b>		<b>\$0</b>
Film-35mm/70mm/IMAX	0	\$11,567.93	\$0
Film 16mm	0	\$1,500.00	\$0
<b>Video recordings</b>	<b>0</b>		<b>\$0</b>
Videotape	0	\$101.92	\$0
<b>Printed music</b>	<b>727</b>	\$54.68	<b>\$39,752</b>
<b>Maps</b>	<b>108</b>	\$42.83	<b>\$4,626</b>
<b>Photographs</b>	<b>0</b>	\$34.73	<b>\$0</b>
<b>Prints/Posters</b>	<b>0</b>	\$34.73	<b>\$0</b>
<b>Total</b>	<b>332,080</b>		<b>\$10,094,347</b>

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2012



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**Stephen Want**  
**Chief, Copyright Acquisitions Division**  
**October 22, 2012**

**COPYRIGHT ACQUISITIONS DIVISION  
FY2011 ANNUAL REPORT**

**Date: October 22, 2012**

**PART I: Mission Effectiveness:**

**Acquire works for Library of Congress Collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2011:**

The Technical Processing Unit (TPU) of the Division, as indicated below in Table 1, transferred 325,024 pieces received under mandatory deposit to the Library. The estimated value of works transferred was calculated at \$14,143,235 when using the average unit prices per Bowker's Annual. Based on a comparison to FY2011, this represents a decrease of 4,605 pieces, yet an increase of \$4,048,889 in value over last year.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	107,651	\$3,353,287
CD/DVDs	1,995	\$49,875
Serials	211,204	\$10,053,585
Microforms	2,728	\$358,650
Motion Pictures	26	\$250,755
Printed music	1,233	\$69,443
Maps	114	\$5,029
Prints, Posters, Photographs, Works of Art	73	\$2,611
	<b>325,024</b>	<b>14,143,235</b>

**Summary of CAD Acquisitions Activities:** Table 2 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 2**

<b>CAD Comparative Acquisitions Statistical Report FY 2011</b>			
	<b>FY12</b>	<b>FY 11</b>	<b>% Change</b>
Titles Received	3,397	3,099	9.6%
Pieces Received	10,293	10,826	-4.9%
Value of Works Received	867,098	\$1,427,932	-39.3%
Registration Fees	18,705	11,750	59.2%
Recommendations Received	4,346	4,084	6.4%
Titles Demanded	4,775	3,365	41.9%
Follow-up Actions	1,532	803	90.8%

The division started this fiscal year with 1,781 LC recommendations on hand, received an additional 4,346 LC recommendations throughout the year and ended the year with 2,389 items on hand.

**Comprehensive Reviews:** In spite of the eDeposit initiative requiring substantial staff time, the Acquisitions Section did an outstanding job in completing a significant amount of reviews. The section's five acquisitions specialists reviewed and brought into compliance 20 publishers.

**Antarctic Press** is an independent comic publisher started in 1985. They have published over 850 titles, specializing in manga and anime. In addition to the more traditional comic topics of amazing powers, ninjas and monsters, they also publish titles with a political slant such as President Evil, Time Lincoln, and Sarah Palin, Rogue Warrior. While researching the President Evil series for a demand, Ms. Fasceski found that Antarctic was not depositing or registering, except for one recent title. 152 titles were demanded. Antarctic Press has deposited copies of 147 titles. The remaining titles are out of print. Publisher is in compliance.

**Cambria Press** is an independent academic publisher based in Amherst, NY. Cambria was founded in 2006 and publishes, on average per year, 50 academic monographs and new titles by scholars in a wide range of research fields. The publisher was reviewed, and CAD demanded 281 titles. To date, two copies each of 280 titles have been received in response to the demands, with a combined value of \$62,650. In addition, 14 copies of eight additional titles were received which were not demanded, with a total value of \$2,900. Compliance is pending.

**Comedy Central Records** is a record label founded by the television network Comedy Central, a part of Viacom's MTV Networks. Comedy Central Records was founded in 2002 and publishes on average 10 CDs/DVDs a year (not including digital singles and albums). Upon the request of the Head of the Recorded Sound Section at MBRS, Ms. Campbell began a review of Comedy Central. After reviewing copyright registration records, Ms. Campbell determined that, while the network frequently registered television episodes, there were no registration records for sound recordings, and only a couple for DVDs. CAD issued a demand for 63 CDs and 11 DVDs. The total cost of copies received is \$1,926.

All titles were additionally registered for copyright, totaling \$2,590 in registration fees. Publisher is in compliance.

**Dalkey Archive Press**, an outgrowth of the magazine "Review of Contemporary Fiction," is a publisher of literary fiction. Currently located at the University of Illinois in Champaign-Urbana, they function as a part of the university's commitment to global projects, specifically the Global Translation Initiative. They publish about 30 titles each year, approximately 30 to 50 percent of which are translations. After receiving a request from an LC recommending officer, Mr. Mercer reviewed works published from 2010 to 2011, resulting in a demand for 75 monographic titles and 4 serial titles. 158 pieces with a monetary value of approximately \$2595 have been received. Publisher is in compliance.

**Dischord Records** is a Washington, DC-based independent record label specializing in punk music. Dischord was founded in 1980 and is one of the more famous independent record labels in the United States, releasing, on average, 5-6 albums per year. The publisher had not submitted any titles for copyright deposit since a publisher review in 2004. A demand was issued for 30 sound recordings and one motion picture. All demanded titles were received, with a combined value of \$550. Publisher is in compliance.

**Fantagraphics Books** is a publisher of alternative comics, classic comic strip anthologies, magazines and graphic novels. A publisher review for Fantagraphics was completed in 2005 by Cecile Horowitz, and, in 2010, a demand was issued to Fantagraphics for back issues of The Comics Journal. The publisher does not participate in CIP or register for copyright. A publisher review was completed and Ms. Campbell issued a mandatory deposit demand for 299 monographs and 19 serials that had been published since 2005. Compliance is pending.

**Figuroa Press** is an academic publisher associated with the University of Southern California. About 5-10 titles are published each year, consisting both of new titles and reprints of out-of-print works. They serve as a resource for USC faculty to publish on an array of subject matter, including history, pop culture, biography, communication, fiction, poetry, and non-fiction. The publisher was reviewed



and 15 titles were demanded. Two copies each of 14 titles were received, totaling \$654. The remaining title is not in print. Publisher is in compliance.

**History Press** specializes in local history books covering many aspects of American life. Having issued 5 demands in 3 years, Ms. Fasceski decided to review their deposit history and found that they had stopped depositing titles after 2004. After a thorough review of CIP records in comparison with the publisher's website, 566 titles spanning the years 2004-2011 were demanded in December 2011. As of the end of March 2012, only 45 titles are outstanding and currently on backorder. Compliance is pending.

**The Jamestown Foundation** conducts research and analysis of events in Europe and Asia, focused on educating policy makers about trends in societies of particular importance to the United States. The foundation was founded in 1984. After receiving requests from recommending officers for several Jamestown Foundation publications, Mr. Lind's team reviewed all Jamestown publications. Of the 33 titles demanded, a total of 24 titles were received for a total value of \$1,320.00. The remaining titles are out of print. Publisher is in compliance.

**Kales Press** was founded in 2000 and publishes nonfiction books on science, history, art and memoirs. Kales Press is an affiliate of W.W. Norton publishers but handles their own copyright submissions. At the request of the publisher, Mr. Lind's team conducted a review of the publisher's backlist, which resulted in a demand being sent for four titles not previously received for deposit. Two copies of each of these titles have been received, for a total value of \$225.00. Publisher is in compliance.

**Kehot Publication Society/Merkos Publications**, the publishing arms of the Chabad-Lubavitch movement were established in 1942. Mr. Lind's team reviewed the library's holding of Kehot Publications and found the collection to be extremely lacking. Working with the publisher, the team has initiated an extended publisher review, demanding titles in manageable batches. The first demand for 34 titles was issued in the 4<sup>th</sup> quarter of FY2012. All titles were received in the same quarter with a value of \$1061.40. Mr. Lind will continue to demand titles until all that are still in print

have been received. Kehot intends to register all forthcoming titles, in addition to registering older titles, based on the demand notices they receive from CAD.

**Little, Brown and Company**, an imprint of Hachette Book Group, has published both fiction and non fiction since 1837. Their titles had been frequently coming up as Congressional demands. Because of some turnover in the publisher's copyright contact position, and deposits were not arriving in a timely fashion. A search of CIP records for unreceived Little, Brown titles from 2005-2012 retrieved a possible 150 titles. In the interim, the publisher's copyright contact has registered more of their works. After eliminating non-qualifying titles, 9 titles have been demanded. Compliance is pending.

**Merge Records**, founded in 1989, is an independent record label based in Durham, North Carolina. The label achieved success with the group Arcade Fire's 2004 release *Funeral*. Since then, many of their recordings have been ranked on Billboards top 200 and some on Billboard's Top Ten. In 2011, Merge was reviewed for compliance. A demand was issued for 46 recent titles which had not been registered or deposited. In response to the demand, two copies each of 39 CDs were received with a total value of \$1,170, plus registration fees of \$1,365. Compliance is pending for the remaining 7 titles.

**Metro Books** is an imprint of Sterling Publishing and owned by Barnes and Noble. They publish popular non-fiction, including illustrated biography, history and self-help books. Ms. Lowry noticed several books distributed under the Metro Books imprint that she thought should be in the Library's collection. Upon further examination, Ms. Lowry's team identified 322 Metro Books publications that had never been deposited in the Copyright Office. Of those, 254 were eligible for demand. CAD received 2 copies each of 17 books, one copy each of 3 books, and an email message that all other books were out of stock and could not be provided. However, Ms. Lowry confirmed that the parent company still had stock of several of the undelivered, demanded books in their stores. On the advice of an attorney advisor in Copyright General Counsel's office, Ms. Lowry drafted and sent an original letter, in lieu of a final notice, to the CEO of Barnes and Noble regarding the unacceptability of Sterling Publishing's response to the notice for mandatory deposit. An attorney for Sterling Publishing responded to Ms. Lowry's letter and agreed to arrange the delivery of deposit copies of those

publications that were demanded and are not out of stock in the parent company's retail stores. Of the copies demanded, CAD has received 2 copies each of 215 titles, 1 copy each of 31 titles, as well as 2 copies each of 53 copies not included in the original demand, with a combined value of \$3,260. Compliance is pending.

**powerhouse Books** is a Brooklyn based, independent publisher founded in 1995, who publish art and photography books. After reviewing the publisher's deposit record, Ms. Lowry sent a mandatory deposit notice for 38 titles. In response, the publisher delivered 2 copies each of 32 books, registering all but three of the titles, with a value of \$2,424 and registration fees of \$1,015. Compliance is pending.

**Prestel Publishing** publishes books about art and architecture. Last year, Ms. Lowry demanded the deposit of 46 titles, 12 of which are no longer available to send for deposit. As a result of Ms. Lowry's review, Prestel has established a procedure to automatically deposit all new publications. Since that time, Ms. Lowry has assembled a list of 140 titles for which the Library has no holdings. Prestel's complete catalog contains over 500 titles, some of which are prospective publications. A follow up review is still in progress.

**Prometheus Books**, founded in 1971, and based in Amherst, NY, publishes about 110 titles per year, in a range of disciplines such as popular science, philosophy, and critical thinking. A review revealed that deposit copies had decreased sharply between 2006 and 2007, due to the publisher reassigning responsibility for copyright matters. The publisher had filed numerous registrations in eCO, but because of budgetary constraints had not deposited the copies necessary to complete copyright registration nor remitted registration fees. Following a search of over 50 titles, a demand for 49 titles was sent to the publisher. The demand for one title was cancelled because the work had gone out of print. Two copies each of the remaining 48 titles that were demanded have been received. CAD has received copies valued at \$2,019 and registration fees of \$1,750. Publisher is in compliance.

**Richard Vigilante Books** is a small independent publisher that has not been depositing or responding promptly to demands. After reviewing the CIP records in the ILS and the titles on the website, a

demand for 8 titles was sent in April 2012. Unfortunately, the publisher went out of business shortly afterwards and we did not receive any deposits. Compliance is not expected.

**Uproar Entertainment**, based in California, is committed to recording the best talents in the world of stand-up comedy, including Margaret Cho, Richard Belzer, Denis Leary, and Brain Regan. After a recommendation by MBRS, a formal review was completed, resulting in the demand of 112 titles. Two copies each of 96 titles have been received by the Copyright Office, for a value of \$3050. Of the remaining titles, 15 are permanently out of stock and the remaining two titles were never manufactured. Publisher is in compliance.

**Venture Publishing, Inc.**, located in State College, PA, publishes books on Leisure studies. While researching a Recommending Officer's request for *Planning for recreation and parks facilities...* Mr. Mercer discovered many more titles that were outstanding. A demand was sent for an additional 56 titles. After sending a final notice to the publisher, two copies each of the 56 titles have been received at a value of approximately \$4,875. Publisher is in compliance.

**Significant Acquisitions:**

**Theatrical feature acquisition initiative.** In the absence of recommendations for acquisition of motion pictures from the Moving Image Section, Ms. Lowry continued to acquire 35mm prints of films that had been released within the previous two years, but had not yet been deposited for the collections. She received 35mm prints of seven films she demanded with an estimated combined value of \$80,970.

***The Bankruptcy Yearbook and Almanac***, published by New Generation Research, was demanded, as there was a gap in the collection. This annual had not been received by the library for years. As a result of the demand, CAD received all issues from 2004 through the present. These are valued at \$5,310.

**Berkeley Electronic Press**, founded by professors in 1999, publishes peer-reviewed electronic journals and develops software for the next generation of scholarly publishing. The contents of 22

journal titles were examined as a part of the eDeposit program. A total of 315 journal issues were examined and transferred to the Library's collection. The monetary value of the subscription based titles was approximately \$40,733. The publisher has since sold these titles.

**The Direct Marketing Association** is the leading global trade association of business and nonprofit organizations using and supporting multichannel direct marketing tools and techniques. Upon a library request for current and back issues of *The Statistical Factbook*, gaps in the Library's holdings were also discovered for *The Power of direct marketing*. In all, 18 volumes were deposited with a combined value of \$10,408.

**Elsevier, Inc.** is a global company headquartered in Amsterdam, founded in 1880. It is the world's leading provider of science and health information for educational and professional communities worldwide, publishing about 2,000 journals and close to 20,000 books and major reference works. Our contact at Elsevier informed Mr. Lind that as a direct result of our conversations with her and the work that CAD has been doing to help get Elsevier in compliance with 407, she was implementing several new projects at Elsevier. First, she was going to ensure that all publications were submitted (1 CIP copy and 2 COP copies) within weeks of publication. In addition, to avoid further receipt of demand notices from CAD, she informed us that Elsevier would now be registering everything that was a U.S. publication, thereby meeting the deposit requirements and avoiding future notices from CAD. Prior to this initiative, Elsevier had been registering sporadically and in small numbers.

Upon analysis, CAD confirmed that these changes were being implemented. The team determined that Elsevier had submitted a total of 409 titles for registration between January and May, 2012. The associated registration fees totaled \$12,710 (the value of the books themselves was not calculated). In addition, the team's efforts with a new CAD contact at Elsevier have resulted in improved compliance with 407 demands sent to Elsevier. During that same time period, Elsevier has submitted over 100 pieces in direct response to CAD demands with a total value of \$27,601.40. Elsevier continues to send US publications for registration and foreign publications for mandatory deposit.

**The Foundation for Public Affairs** is a nonprofit research and educational foundation affiliated with the Public Affairs Council. After receiving a Congressional request, Mr. Mercer established contact with FPA. Their contact was not aware of the obligation to deposit copies of published works and was eager to rectify the situation. In addition to complying with the initial congressional request, FPA deposited 14 survey reports and monographs. The monetary value of 32 pieces was \$3,800.

**Juggling Board Press**, after speaking with Mr. Lind's team, indicated that they had previously been unaware of the mandatory deposit requirement and volunteered to send any back list titles still in print for deposit. In addition to the title demanded, CAD received an additional 8 titles from the publisher, valued at just under \$500.00.

***The Journal of Ordinary Thought***, published by The Neighborhood Writing Alliance, was demanded, as there was a gap in the collection. 100 pieces were received, including issues dating back to 1994. Many of the older issues are out of print and not available, but the publisher provided all back list issues available. The 100 pieces received represent a value of \$1,000.00.

**Numismatic Bibliomania Society (entitled *Asylum*)** is a quarterly journal recommended by the library earlier this year. The library had no previous holdings for this title. Through the demand process, CAD was able to acquire all available (still in print) back issues through the most current issue. CAD received a total of 182 pieces, with the backlist extending to 1982. The value of these titles is \$910.

#### **Outreach / Presentations:**

#### **Library Services:**

- **ABA Labor – Management Consultative Group:** The Acting CAD Chief was asked to respond to concerns from the ABA Labor – Management Group. Ms. Proud discussed the Metasearch tool and the CAD workflow.
- **ALawe:** CAD staff completed a presentation for the Africa, Latin America, Western Europe (ALawe) division on the use of the Copyright Office's Metasearch tool.
- **Collection Development Roundtable ROs:** CAD met with members of the Collection

Development Roundtable to discuss the process and challenges of recommending electronic serials.

- **LSMT:** As an outgrowth of the meeting with ABA, Ms. Proud was asked to review CAD processes at the LSMT monthly meeting to further discuss how Library Services can better search CAD deposit records.
- **MBRS:** CAD met with David March from MBRS to discuss the demand process as it relates to motion pictures. Ms. Lowry discussed the legal implications, workflow process, and limitations of acquiring film for the library. Mr. March and the CAD Specialists discussed ways forward to ensure the Library is receiving the best edition of feature films. This meeting forged the way for a partnership between MBRS and CAD.
- **Israel and Hebraic Section:** Ms. Lowry was asked to provide input for a presentation at the 47th Annual Association of Jewish Libraries conference. Ms. Lowry drafted two paragraphs describing the importance of records created by the Library's **Israel and Hebraic Section** to accomplishing the missions of the Copyright Office to judiciously enforce the mandatory deposit requirement and to create accurate records of deposit for works received in fulfillment of the requirement.

#### **Law Library:**

- **Recommending Officers:** At the request of the new Associate Librarian of Library Services, CAD provided an orientation to the CAD workflow. Representatives from the Knowledge Services Group (CRS) and members of the Copyright Office joined the session as well.

#### **Copyright Office:**

- **eDeposit Overview:** In January, CAD presented a demonstration of the eDeposit project and workflow for representatives from Copyright Registration divisions.
- **Copyright Roundtable:** Mr. Lind represents CAD at the Copyright roundtable sessions for ROs. During these sessions, Mr. Lind provided input about 407 deposit and the CAD workflow.

#### **Publishers**

- Ms. Lowry attended the first **Washington West Film Festival** in November. This small festival included film entries from the United States and abroad. It attracted independent

filmmakers and introduced the independent film genre to the western suburbs of Washington, DC. Ms. Lowry spoke with directors of the festival about encouraging participating filmmakers to send copies of their films to the Library of Congress to be preserved in the collections. This contact made the local festival organizers aware of the deposit requirement and its role in preserving independent film productions in the Library of Congress.

- While in New York, Mr. Mercer scheduled an appointment with James Williams Associate Director, Legal & Business Affairs at **Boosey & Hawkes** to discuss the most recent final notice sent for outstanding works. Mr. Mercer discussed the urgency of the matter and briefed him on our process of enforcement. Mr. Williams expressed that he had developed a strategy to process registrations of the works. He also indicated a commitment to resolve this matter without further intervention on our part.
- Mr. Mercer spoke with Gail Kump the Director, Membership Marketing of the **Association of American Publishers**. The AAP has 300 members, representing America's premier publishers of high-quality entertainment, education, scientific and professional content. A major role of the AAP is to provide advocacy and communications on behalf of the industry. Mr. Mercer briefly explained the responsibilities and work of the Copyright Acquisitions Division and suggested that a link to the U.S. Copyright Office should have a prominent position on the AAP website. Ms. Kump conveyed my suggestion to Andi Sporkin, VP of Communications, who politely referred to the AAP website as a "work in progress," agreed that a third party link from the Copyright Office might be appropriate for placement under the "policy and issues" tab on the website. Sporkin's plan is to tackle the policy tab this summer.

### **Special Relief:**

In December 2011, Ms. Lowry assisted a publisher in obtaining a grant of special relief so that she could register serial issues, for which print copies were no longer available. Ms. Lowry had demanded missing issues of 4 media market reports from **Media Dynamics, Inc.** The publisher sent the required pieces for registration, but 3 issues were no longer available in print. Written permission was obtained from the Business Reading Room and approved by the Copyright Office



allowing the publisher to download electronic files of the unavailable issues so that they too could be registered.

**Shelomo Alfassa:** A request for special relief from legal deposit for six titles demanded for the Library collections. Special relief was denied for one of the titles due to the express need of the Library to acquire two copies of this work. Special relief was granted for the other five titles due to the alleged financial hardship of the copyright owner. It was made clear that the grant for special relief did not include other titles in print which were not included in the demand, or any future published works.

## **PART II: Program Management:**

### **Personnel Management:**

#### **Awards:** (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Promotions:** Ms. Michelle Campbell was promoted to the position GS 1410-12 as an Acquisitions Specialist. Ms. Karen Van Gilder was promoted to the position GS 0301-12 as a Program Specialist. Ms. Daria Proud was temporarily promoted to Acting Division Chief for the interim period between Ms. Jewel Player's retirement and Mr. Stephen Want joining the Copyright Office.

**New Hires:** Mr. Stephen Want joined CAD in July, 2012 in the position GS1410-15 as Division Chief. Caroline Abushakra joined CAD for the summer as a volunteer summer intern.

**Early Retirement under VSIP program:** Two CAD staff took part in the VERA/VSIP program offered by the Library. Ms. Cecile Horowitz, an Acquisitions Specialist, and Ms. Gladoria Warren, an Acquisitions Technician, both left the division in early November. This essentially reduced the number of acquisitions teams from six to five within CAD.

**Retirement:** Ms. Jewel Player, the division Chief since 1999, retired at the end of 2011.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2012 and the Records Management course. New employees also completed the online Ethics Briefing, Employee Sexual Harassment Awareness, and The U.S. Constitution. All division supervisors participated in the various Supervisor Forums held throughout the year.

Training sessions and demonstrations were held within the division. Acquisitions Specialists met selection officers to clarify selection decision choices and learn the "hot topics" the library is collecting. Acquisitions Specialists met with representatives from the Copyright Office General Counsel's office. The history of Mandatory Deposit was discussed, as well as issues that CAD faces in enforcing section 407 of the Copyright law. In house training was also provided for Acquisition Technicians for tools to monitor cases in eCO. Several training demonstrations were held for CAD staff demonstrating the eDeposit workflow. Additionally, twelve members of CAD staff are currently enrolled in the Copyright Academy course, Copyright Law under the 1976 Act.

The following classroom training, all completely job related, was completed by various division staff members:

Accident Investigation for Supervisors, Heartsaver AED/CPR Training, HyperSnap 5: Basic, ILS Searching for Serials, ILS Serials Holdings & Item Records MARC Format & Editing, Library of Congress Docent Training, MARC for Non-catalogers, Vulnerability Assessment Training, and Writing Accomplishments Session

Additional online training, as listed on Individual Development Plans, completed by division staff

members included:

An Introduction to Project Management, Avoiding Grammatical Errors in Business Writing, Business Writing: Editing and Proofreading, Delivering Your Message, Effective Telephone Techniques, Leadership Essentials: Building Your Influence..., Managing Your Career: Creating a Plan, Preparing PowerPoint 2003 Presentations for Effective Delivery, Presenting to Succeed, Professional Assertiveness, Punctuating with Skill, Telework for Government Employees, Telework Fundamentals: Employee Training, Telework: Training for Supervisors, Understanding Writing Mechanics, and WWW: Evaluating Web Sites.

### **Conferences and Meetings:**

**Computers in Libraries, 2012**, sponsored by Information Today, was held at the Washington Hilton in Washington, DC. Ms Lowry attended panel discussions concerning effective web design, the use of chat bots or avatars to answer questions from the public, the use of QR codes to communicate with the public via mobile devices and tools that enable web designers to evaluate the usefulness of particular media tools. Ms. Lowry also spoke with publisher representatives from Springer, IEEE and IGI concerning the Library's eDeposit initiative. She learned that IGI publishes both in print and digital forms. Themes discussed during the conference are relevant to Ms. Lowry's input to the Social Media and Education and Outreach groups.

Mr. Mercer attended **Book Expo America**, held in New York City, June 5-6, 2012. There were more than 21,000 industry professionals in attendance. Approximately 300 publishers from all over the world exhibited at the show. The Expo provided Mr. Mercer with the opportunity to become more knowledgeable of publishing trends, raise awareness of publishers' obligations to comply with mandatory deposit requirements, identify publishers to review, and meet with publishers who have issues/problems fulfilling deposit requirements.

### **Productivity and Workload/Workflow:**

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 200 deposits on hand. The staff created 32,461 records for a variety of

library materials received through mandatory deposit. The unit ended the year with 700 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, staff continued processing acquisition requests for 2<sup>nd</sup> deposit copies when the publisher failed to provide the two required copies. The unit continues to process letters to publishers SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 68,644 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 1623 back issues of various research and scientific journals. The subscription value savings to the Library was \$39,987. Additionally, 41 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$22,604.

**Serial Claiming:** This year, with the addition of a Serials Librarian, we have made strides in claiming titles for the Library. CAD resumed researching and evaluating 536 titles from 306 publishers from our serials claims listing. From informal telephone demands, the Serials Librarian received 332 back issues for an approximate value of \$16,537. While researching the Library's serial stacks, the Serials Librarian found 401 copies of serial titles that were not checked into the Library's collections for proper receipt. Those copies are valued at \$25,869. Both back issues and non-receipt serials are valued at approximately \$42,406. Additionally, the Serials Librarian sent out 61 serial demand letters claiming 1,550 issues. She received 787 of those issues for a value of \$38,606. All titles received were checked in and added to the Library's collection. The total estimated savings for the Library's collections from serial claiming this fiscal year is \$81,012.

**eDeposits Implementation:** Acquiring electronic deposits via mandatory deposits has been in direct support of the goal of Library of Congress to build its collection of electronic works, starting with online journals that have no print counterpart. This initiative has been known as the eDeposit Project and is truly a Library wide effort requiring coordination and cooperation between and across service units. Under the auspice of the 2009 Librarian's Management Agenda, the Copyright Office has played a key leadership role in coordinating and managing the project.

Overall, publishers were willing to comply and actually providing much more content than requested. Although demand notice only specified content published since February 2010, in most instances publishers willingly provided content covering the full run of the requested publications, in many instances content dated back ten years or more. However, in spite of specific file format and transmission instruction not one publisher could adhere to these instructions. Consequently, extensive labor intensive processes were required to receive and make the content available for processing.

February 2010, the Copyright Office adopted an interim regulation permitting it to acquire works available exclusively in digital formats. Previously, online-only works were exempt from the mandatory deposit provision of copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. For the initial implementation of the regulation, the Library identified 100 online only serial titles from 38 publishers. To date, our current title list includes 206 titles from 32 different publishers.

The Copyright Acquisitions Division, on behalf of the Copyright Office, issued its first mandatory deposit notice on September 1, 2010 to acquire an electronic serial published only online. Since issuing this first demand, the acquisition of electronic serials can be represented in:

- Demands for 206 titles (22 of which are duplicate titles sold to a new publisher) from 32 publishers.
- 101 titles (15 of which were sold to a different publisher) received from 27 publishers.
- Over 95 thousand files had been received for 101 titles

- 296 actual file deliveries
- 50 unique file extensions

The focus / accomplishments for FY2012 were:

- Completed deployment of system functionalities for electronic deposit. This included upgrades to the Electronic Copyright Office (eCO), the Content Transfer System (CTS), and the Delivery Management System (DMS).
- Transitioned publishers from the manual approach of depositing files to uploads through eCO's eService web interface.
- Worked with publishers to ensure receipt of subsequent issues.
- Completed upgrades to the system enabling titles to transfer to a different publisher.
- Reviewed requirements in order to identify bugs and system deficiencies.
- Deployed bug fix upgrades in May, 2012.
- Transitioned to a publisher focused approach for development.
  - Automated metadata extraction for some large publishers, reducing manual interaction with files by Library Services catalogers.
  - Began development to automate deposit for large publishers, enabling them to bypass the eService interface and upload multiple titles at one time.
  - Reviewed publisher's entire eSerial catalog and sent a demand for all the titles required by the Library.

These accomplishments were made, despite the many challenges faced by the program. These challenges are primarily resource related.

- Financial: There must be a commitment to allocate adequate financial resource to maintain the level of system development and enhancements required for a fully efficient technical solution. This year, we were able to develop bug fixes for each of the integrated systems, but funding limited new development to only one of the systems. Staff resources are also a major challenge.
- Staffing (CAD): The actual file review process is a drain on the small CAD staff. The task of monitoring the receipt of subsequent issue is also time consuming. Consequently, processing

acquisition requests for other formats are suffering and physical resources may no longer be available once the demand is actually submitted.

**PART III: EEO / Affirmative Action:**

**LC Career Development Program (CDP) Support:** All eligible CAD staff were encouraged to apply and participate in the program. This year, two staff members are participating in the program.

**EEO Course:** All CAD supervisors successfully completed the Equal Employment Opportunity and Discriminatory Practices in Hiring course.

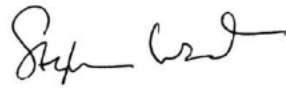
## Attachment 1

## Estimated Value of Materials Transferred to the Library of Congress

	Non-Registration works transferred	Average Unit Price	Total value of works transferred to others
<b>Books</b>	<b>107,651</b>		<b>\$3,353,287</b>
Book-hardbound	26,603	\$87.15	\$2,318,451
Book-softbound	21,222	\$35.09	\$744,680
e-books (Pro Quest)	59,826	\$4.85	\$290,156
<b>CD/DVDs</b>	<b>1,995</b>	\$25.00	<b>\$49,875</b>
<b>Serials</b>	<b>211,204</b>		<b>\$10,053,585</b>
Periodicals	201,844	\$49.76	\$10,043,757
Newspapers	9,360	\$1.05	\$9,828
<b>Microforms</b>	<b>2,728</b>		<b>\$358,650</b>
Microfilm	2,728	\$131.47	\$358,650
Microfiche	0	\$5.95	\$0
<b>Motion Pictures</b>	<b>26</b>		<b>\$250,755</b>
Film-35mm/70mm/IMAX	21	\$11,914.97	\$250,214
Film 16mm	0	\$1,500.00	\$0
Videotape	5	\$108.13	\$541
<b>Printed music</b>	<b>1,233</b>	\$56.32	<b>\$69,443</b>
<b>Maps</b>	<b>114</b>	\$44.11	<b>\$5,029</b>
<b>Prints, Posters, Photographs, Works of Art</b>	<b>73</b>	\$35.77	<b>\$2,611</b>
<b>Total</b>	<b>325,024</b>		<b>\$14,143,235</b>



# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2013



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**Stephen Want**  
Chief, Copyright Acquisitions Division  
November 6, 2013

**COPYRIGHT ACQUISITIONS DIVISION  
FY2013 ANNUAL REPORT**

**Date: November 6, 2013**

**PART I: Mission Effectiveness:**

**Acquire works for Library of Congress Collections**

**Summary of Mandatory Deposits Transferred to LC for FY 2013:**

The Copyright Acquisitions Division (CAD) received a total of 333,818 pieces via mandatory deposit and 407 demands, with a total value of \$12,396,274 transferred to the Library. Of these deposits, the Acquisitions section received 11,581 pieces, with a value of \$1,255,721. The Technical Processing Unit recorded 41,100 pieces, transferring 38,734 pieces to the Library's collection, with a total value of \$2,603,829. Voluntary deposits not requiring individual records total 281,137 pieces, with a total value of \$8,536,724.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	107,451	\$3,133,576
CD/DVDs	1,413	\$52,422
Serials	220,008	\$8,525,744
Microforms	3,902	\$606,664
Motion Pictures	5	\$12,288
Printed music	836	\$58,946
Maps	135	\$6,118
Prints, Posters, Photographs, Works of Art	68	\$516
<b>Total</b>	<b>333,818</b>	<b>\$12,396,274</b>

**Acquiring Electronic Materials**

CAD has been involved with the eDeposit project from its very beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire works available exclusively in digital format. Previously, online-only works were exempt from the mandatory deposit provision of the copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. For the initial implementation of the regulation, the Library identified 100 online only serial titles from 38 publishers.

Generally, publishers were willing to comply and actually providing more than requested. Although

demand notices only specified content published since February 2010, in some instances publishers willingly provided content covering the full run of the requested publications. However, in spite of specific file format and transmission instructions, numerous different file formats were sent and publishers had difficulties complying with our deposit instructions. Consequently, extensive labor intensive processes were required to receive and make the content available for processing.

As the project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. Focus has shifted to reviewing a publisher's entire catalog and demanding all eligible titles. To date, receipt of files and metadata extraction has been automated for two publishers, with a third in development. The Library has begun conversations with seven third-party organizations about acting as agents for deposit and sending normalized files on behalf of publishers. This project will further expand the volume of materials we can demand and process with less labor intensive processing. CAD has also been in discussion with publishers about the possibility of Library patrons accessing electronic material directly through the publisher's platform.

The expansion of the eSerial collection to date is illustrated in table 2 below.

**Table 2**

<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>				
	<b>FY11</b>	<b>FY 12</b>	<b>FY 13</b>	<b>Total</b>
<b>Titles Demanded</b>	98	89	47	<b>234</b>
<b>Titles Received</b>	91	(22) duplicate titles – not included in final count	136	<b>227</b>
<b>Publishers</b>	30	2	0	<b>32</b>
<b>Volumes Received</b>	287	56	547	<b>890</b>
<b>Files Received</b>	84,793	8,934	71,636	<b>172,130</b>

CAD has been a significant element in the development of the technology behind the project, playing an active role in the DMS development group. CAD has coordinated with CTO for further development, allowing integration between eCO and DMS for deliveries not received through eService. Further integration with the Library's ILS was accomplished in FY2013. CAD has contributed

input for Stacks, which revamps the way files are viewed by staff and eventually will be accessed in Library reading rooms. The original DMS workflow has been streamlined, allowing for better tracking and referral of deliveries.

## **Productivity and Workload/Workflow:**

### **Summary of CAD Acquisitions Activities**

Table 3 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 3**

<b>CAD Comparative Acquisitions Statistical Report FY 2013</b>			
	<b>FY13</b>	<b>FY 12</b>	<b>% Change</b>
Titles Received	3,053	3,397	-10.1%
Pieces Received	11,581	10,293	12.5%
Value of Works Received	\$1,255,721	\$867,098	44.8%
Registration Fees	\$10,810	\$18,705	-42.2%
Recommendations Received	2,343	4,346	-46.1%
Titles Demanded	4,538	4,775	-4.0%
Follow-up Actions	2,183	1,532	42.5%

The division started this fiscal year with 2,389 LC recommendations on hand, received an additional 2,343 LC recommendations throughout the year and ended the year with 772 items on hand.

**Comprehensive Publisher Reviews:** The section's five acquisitions specialists reviewed 42 publishers. A list of publishers reviews conducted this year can be found in Attachment 1.

### **Special Relief:**

**Algora Publishing:** Request to allow deposit of eBooks rather than print. Request denied. 2007 relief agreement remains in effect: one paperback copy accepted.

**Assouline Publishing:** One copy accepted for *The Impossible Collection of Fashion*.

**Emeth Press:** One copy accepted for 63 works demanded in April, 2013.

**Gloucester County Historical Society:** Special relief from the deposit of 12 titles.

**Amy K. Jones:** Exempt from deposit for three year period for the following titles: *Her Place in Time, Part One*; *Her Place in Time, Part Two*; *Strange Association*.

**Santa Fe Communications, Inc.:** The publisher is not required to deposit subsequent issues of *Prayer & Worship Guide*.

**Walter de Gruyter:** Electronic files accepted in lieu of print for titles purchased from BE Press.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 700 deposits on hand. The staff created 28,960 records for a variety of library materials received through mandatory deposit. The unit ended the year with 300 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, staff continued processing acquisition requests for 2<sup>nd</sup> deposit copies when the publisher failed to provide the two required copies. The unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 70,002 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 411 back issues of various research and scientific journals. The subscription value savings to the Library was \$1,431. Additionally, 21 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$21,398.

## **PART II: Program Management:**

### **Publisher Outreach:**

**Emerald Publishing Group:** Mr. Stephen Want and Ms. Karen Van Gilder met with representatives from Emerald Publishing to discuss the current special relief agreement. Emerald has provided access to their electronic journal catalog in lieu of depositing the paper copies. CAD is working with Emerald to acquire the electronic files for these serials.

**Internet Scientific Publishers:** While attending the JATS-CON October 16-17, 2012 from, Mr. Stephen Want, Ms. Michelle Campbell, Ms. Eileen Lowry, and Ms. Karen Van Gilder met with representatives from Internet Scientific to discuss setting up a system to system transfer for their electronic titles. This meeting involved representatives from Library Services and the DMS development team.

**Walter de Gruyter:** Mr. Stephen Want has been in contact with representatives from Walter de Gruyter. The publisher is seeking an arrangement that will provide access to their catalog in lieu of depositing best edition physical copies, and which will also allow Library patrons to access De Gruyter serials and ebooks via DG Online.

### **Outreach within the Library:**

**CIP Program:** CAD met with members of the CIP team for a demonstration of their workflow. They provided an overview of the receipt of CIP content as well as intersections between their workflow and the CAD workflow. In reciprocation, CAD presented their own workflow to CIP and members of the USASH and USPLL leadership team in a later meeting.

**Collections Development Office:** CAD developed an intranet webpage specifically for Library Services Recommending Officers and Acquisitions Librarians. This is an effort to better clarify and streamline the procedure for requesting works through copyright deposit.

**CAD at the Copyright Afternoon Tea:** Mr. Charles Lane, Ms. Daria Proud, Ms. Karen Van Gilder, and Mr. Stephen Want presented an overview of the Copyright Acquisitions Division. One presentation was specific for Copyright staff to help them get a better understanding of how CAD fits into the larger scope of the Copyright Office. A second similar presentation was held for Library staff to highlight CAD's role in acquiring works for the Library's collection.

**Cross-Service Unit working groups:** Representation from CAD meets with many different groups on

a regular basis. These groups include Acquisitions Advisory Group, Acquisitions and Bibliographic Management Team (ABAMT), Additional Service Copies Implementation Team, Best Edition Working Group, Collection Policy Committee (CPC), Collection Development Roundtable, Digital Content Management Initiative (DCMI), DMS Development, DMS Steering Committee, eSerial Operations, LS Chiefs, RFA Automation Project, Serials Control Advisory Board.

**MBRS:** CAD toured the Packard Campus in Culpepper, VA on November 30, 2012. While there, they met with the division chiefs to discuss ways CAD and MBRS can work together to further build the Library's collections. This meeting was a follow-up on a previous visit Mr. Stephen Want made in October.

**Technical Reports Section:** Mr. Stephen Want and Ms. Daria Proud met several times with the Technical Reports Section (TRS) to discuss acquiring standards publications through copyright deposit. The desired outcome is for standards issuing organizations to establish a regular program of deposit for future issuances.

#### **Outreach with external partners:**

**British Library:** Mr. Stephen Want and Ms. Karen Van Gilder took part in a phone conversation with representatives from the Library of Congress and the British Library. Discussion revolved around experiences with implementing the deposit of electronic material at both libraries. Further conversations will continue in the future.

**Computers in Libraries:** Ms. Eileen Lowry attended sessions that focused on web searching, digital repositories, social media tools and their effectiveness. While at the conference, Ms. Lowry met briefly with a representative from Sage Publications regarding the appropriate contact at Sage to discuss an eDeposit access initiative.

**Copyright.gov:** A mandatory deposit page was launched on copyright.gov. This page centralizes information about mandatory deposit and projects overseen by CAD. Linked information includes relevant circulars, FAQs, eDeposit, and SE/Group registration. This page also points to information about how to register material that has been demanded for mandatory deposit.

**JATS-CON:** Mr. Stephen Want, Ms. Michelle Campbell, Ms. Eileen Lowry, and Ms. Karen Van Gilder attended the JATS-CON conference at the NIH campus. Conference presenters discussed some of the ways they are moving forward with electronic publishing, especially when using the JATS DTD,

which is the best edition format for eSerials.

**Libraries and Archives Canada:** Mr. Stephen Want and Ms. Karen Van Gilder met with Susan Haigh from Library and Archives Canada to discuss legal deposit and electronic deposit in each country.

**Third party depositors for electronic material:** Representatives from CAD, Library Services, and RDC met with representatives from outside organizations to discuss depositing electronic material on behalf of publishers. These organizations would first normalize the content prior to depositing material. Discussions with DCL, Highwire, Portico, ProQuest, Lexis Nexis, and LOCKSS have taken place.

**Signiant:** Mr. Stephen Want, Ms. Michelle Campbell, and Ms. Karen Van Gilder from CAD, along with Ms. Jane Mandelbaum and Mr. Carl Watts from ITS spoke with Signiant Professional Services about creating a new portal for eSerial deposit from publishers.

**Hong Kong Film Archive:** Mr. Stephen Want met with Chan Choi-yuk to brief her on the Copyright Acquisitions Division role in the US Copyright Office, and learn from her how the Hong Kong Film Archive acquires material.

#### **Policy changes:**

With the expansion of the SE Group project, CAD has continued to work with the Copyright Office General Counsel to formulate a procedure allowing CAD to review titles prior to their initial deposit. This review will reduce the amount of unwanted materials received by the Library.

#### **Personnel Management:**

**Awards:** (b) (6)

**Details:** Ms. Dawn Craig, Ms. LaTashae Fletcher, and Mr. Daryl Johnson performed 120 day details in the Acquisitions Section in CAD. Ms. Jannease Johnson and Ms. Taurica Wallace completed a 120 day detail in the document Recordation Section of IRD. Ms. Kimberly Buggs completed a one day per week 120 day detail to the Records Research and Certification Section of IRD. Ms. Myra Laird completed a 120 day detail in Administrative Services Office.

**New Hires:** Ms. Jennifer Morben, summer intern.



**Reassignments:** Ms. Jannease Johnson joined the Documents Recordation Section of IRD.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2013.

Training sessions and demonstrations were held within the division. Acquisitions Specialists met selection officers to clarify selection decision choices and learn the "hot topics" the library is collecting. Acquisitions Specialists met with representatives from the Copyright Office General Counsel's office. The history of Mandatory Deposit was discussed, as well as issues that CAD faces in enforcing section 407 of the Copyright law. In house training was also provided for Acquisition Technicians for tools to monitor cases in eCO and CO Metasearch. A training demonstration was held for CAD staff demonstrating the new eDeposit workflow. Additionally, twelve members of CAD staff completed the Copyright Law under the 1976 Act course and two staff members have completed coursework for Introduction to the 1909 Copyright Act. Both courses were offered through the Copyright Academy

The following additional training was completed by various division staff members:

The Potential of Self Directed Learning, Project Management Fundamentals, Office 2010 New Core Features, LOC Records Management Course, Ethics Briefing: Standards of Conduct..., Employee Sexual Harassment Awareness, Equal Employment Opportunity & Discriminatory Practices, Reference Collections Orientation Series, Equal Employment Opportunity Briefing for Managers & Supervisors, Preparing PowerPoint 2003 Presentations for Effective Delivery, Punctuating with Skill, The Potential of Self Directed Learning, Introduction to Business Analysis and Essential Competencies, Essential Supervisory Skills, Library-Wide Planning: Program Performance and Risk, Telework Training for Supervisors (OPM Course), Fundamentals of Electronic Resources Acquisitions (ALA Course)

**PART III: EEO / Affirmative Action:**

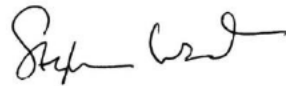
**LC Career Development Program (CDP) Support:** All eligible CAD staff were encouraged to apply and participate in the program. This year, one staff member participated in the program.

## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers:

- Algora Publishing
- Barry University law journal
- Brigham Young University law journal
- Cambria Press
- Carnegie Mellon University Press
- DePaul University law journal
- Disinformation Company
- Emeth Press
- Fantagraphics Books
- George Mason University law journal
- Golden Gate University law journal
- History Press
- Kehot Publication Society/Merkos Publications
- Little, Brown and Company
- Loyola University, Chicago law journal
- Marketdata Enterprises
- Merge Records
- Metro Books
- Oni Press
- O/R Books
- Pointed Leaf Press
- Polyvinyl Records
- powerhouse Books
- Prestel Publishing
- Radius Books
- Springer Science +Business Media
- Targum Press
- Tavern Books
- University at Buffalo (SUNY) law journal
- University of Colorado law journal
- University of Maryland law journal
- University of Minnesota law journal
- University of New Hampshire law journal
- University of New Orleans Press
- University of North Carolina law journal
- University of Oregon law journal
- University of Pittsburgh law journal
- University of Texas law journal
- University of Virginia law journal
- Uproar Entertainment
- Wiley-Blackwell (of John Wiley & Sons)
- Zoho Music LLC

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2014



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**Stephen Want**  
Chief, Copyright Acquisitions Division  
October 16, 2014

**COPYRIGHT ACQUISITIONS DIVISION  
FY2014 ANNUAL REPORT**

**Date: October 16, 2014**

**PART I: Mission Effectiveness**

**Acquire works for Library of Congress Collections**

**Summary of Mandatory Deposits Transferred to LC in FY 2014:**

The Copyright Acquisitions Division (CAD) received a total of 407,109 pieces via mandatory deposit and 407 demands, with a total value of \$14,609,990 transferred to the Library. Of these deposits, the Acquisitions section received 29,250 pieces, with a value of \$870,154. The Technical Processing Unit recorded 39,853 pieces, transferring 36,922 pieces to the Library's collection, with a total value of \$2,603,251. Deposits not requiring individual records total 340,937 pieces, with a total value of \$11,136,585.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	98,433	\$3,058,187
CD/DVDs	1,828	\$48,029
Serials <sup>1</sup>	282,766	\$10,764,851
Microforms	23,029	\$674,546
Motion Pictures	45	\$6,669
Printed music	929	\$54,178
Maps	61	\$2,847
Prints, Posters, Photographs, Works of Art	18	\$683
<b>Total</b>	<b>407,109</b>	<b>\$14,609,990</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
Books	38,960	\$4,513,905
Serials	1,012	\$1,442,333
<b>Total</b>	<b>39,972</b>	<b>\$5,956,238</b>

**Acquiring Electronic Materials**

CAD has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire works available exclusively in digital

<sup>1</sup> Approximately 70% of §407 serials forwarded directly from RACD to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred. Value including this discarded material is \$11,418,129.

format. Previously, online-only works were exempt from the mandatory deposit provision of the copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit.

As the project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. Focus has shifted to reviewing a publisher's entire catalog and demanding all eligible titles. A cooperative agreement was signed with Data Conversion Laboratories (DCL), who can now function as a third party agent for deposit with the Copyright Office and Library of Congress. CAD has also secured agreements with Walter de Gruyter and Emerald Publishing providing Library patrons access to electronic material directly through the publishers' online services. The access value received from these two publishers is \$5,965,238. Walter de Gruyter has begun depositing eSerial and eBook files for deposit to a dark archive. eSerial content from 365 titles have been received, valued at \$109,038. CAD has also received 549 eBooks, with an estimated value of \$63,607.

This fiscal year, eDeposit has grown. CAD more than tripled the number of titles demanded from 234 to 925 titles. The number of titles received has nearly tripled. Content has been received for 643 titles, up from 227. This fiscal year, 16 publishers have deposited electronic content for 601 titles. The expansion of the eSerial collection to date is illustrated in Table 3 below.

**Table 3**

<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>					
	<b>FY11</b>	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>	<b>Total</b>
<b>Titles Demanded</b>	98	89	47	691	<b>925</b>
<b>New Titles Received</b>	91	(22) duplicate titles— not included in final count	136	416	<b>643</b>
<b>New Publishers</b>	30	2	0	0	<b>32</b>
<b>Volumes Received</b>	287	56	547	820	<b>1,710</b>
<b>Files Received</b>	84,793	8,934	71,636	149,947	<b>322,077</b>

CAD has been a significant element in the development of the technology behind the project, playing

an active role in the DMS development group. Back end updates have been implemented, enhancements to delivery viewer, as well as updates leading the way to integrating Signiant MX into the eDeposit workflow. CAD has contributed input for Stacks, which revamps the way files may be viewed by staff and patrons in Library reading rooms. Operational enhancements have also been implemented, allowing CAD to take on a larger role with the ingestion of files delivered by publishers. CAD has begun discussions with Library Services and OSI to develop a workflow for processing and cataloging eBooks.

## **Productivity and Workload/Workflow**

### **Summary of CAD Acquisitions Activities**

Table 4 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 4**

<b>CAD Comparative Acquisitions Statistical Report FY 2013</b>			
	<b>FY14</b>	<b>FY13</b>	<b>% Change</b>
Titles Received	3,651	3,053	19.59%
Pieces Received	29,138	11,581	151.60%
Value of Works Received	\$863,198	\$1,255,721	-31.26%
Registration Fees	\$9,715	\$10,810	-10.13%
Recommendations Received	2,499	2,343	6.66%
Titles Demanded	4,423	4,538	-2.53%
Follow-up Actions	1,951	2,183	-10.63%

The division started this fiscal year with 772 LC recommendations on hand, received an additional 2,499 LC recommendations throughout the year and ended the year with 351 items on hand.

**Comprehensive Publisher Reviews:** The Division's five acquisitions specialists reviewed 65 publishers. A list of publisher reviews conducted this year can be found in Attachment 1.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers:

**Druktenis Publishing and Mail Order:** one copy accepted of *Scary Monster Magazine*

**Emerald:** Electronic files and access to Emerald Journals in lieu of depositing tangible copies for 407 deposit. This agreement updates the 2007 agreement. Access to these serials is valued at \$1,285,300.

**EPRI:** Embargo for various titles, ranging from 2015-2018. Six titles are exempt from mandatory deposit. See CAD office file for complete list of titles.

**Igrulita Press:** One copy accepted for works published by Igrulita Press.

**ILSA Journal of International and Comparative Law:** One copy accepted for volumes 5, 7, 14, 18, 19, and 20 of *ILSA Journal of International & Comparative Law*. Depositor is required to submit 2 copies for all remaining volumes.

**Pakistaniaat:** One copy accepted of serial, *Pakistaniaat: a Journal of Pakistan Studies*.

**StoSvet Press:** One copy accepted for the following journals: *Storony sveta* and *Cardinal Points*.

**Subito Music:** One copy accepted for 25 APNM titles demanded in 2013.

**Walter de Gruyter:** Electronic files and access to entire de Gruyter online catalog provided in lieu of depositing tangible copies for 407 deposit. Access to these works is valued at \$4,670,938 this fiscal year.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 300 deposits on hand. The staff created 39,853 records for a variety of library materials received through mandatory deposit. The unit ended the year with 400 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, staff continued processing acquisition requests for 2<sup>nd</sup> deposit copies when the publisher failed to provide the two required copies. The unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 65,265 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid

subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 716 back issues of various research and scientific journals. The subscription value savings to the Library was \$29,870. Additionally, 18 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$15,750.

## **PART II: Program Management**

### **Publisher Outreach**

**Emerald Publishing Group:** Mr. Stephen Want and Ms. Karen Van Gilder met with Donna Scanlon, Library of Congress Electronic Resources Coordinator, and Richard Bevan, CEO, and Donna Reynolds, Business Development Manager, from Emerald Publishing to discuss the current special relief agreement. A special relief agreement was recently signed between Emerald and the Library, allowing access to Emerald's catalog of journals along with deposit of electronic files for their journals.

**Optical Society of America (OSA):** While at JATS-Con in April 2014, Mr. Stephen Want began a conversation with Scott Dineen, Senior Director, Publishing & Technology, from OSA about deposit of electronic materials. OSA indicated that they may be interested in pursuing a special relief agreement. A follow-up conversation revealed that a number of their titles are currently deposited for copyright registration. Further discussion will take place about receipt of titles they are not currently registering or depositing.

**Platts:** Mr. Stephen Want, Ms. Eileen Lowry, and Ms. Karen Van Gilder have been in contact with Melanie Graziano, Billing & Fulfillment, from Platts about mandatory deposit for electronic serials. Platts began emailing several electronic publications to CAD. Discussions centered on depositing this electronic content through portals for deposit that have already been established by CAD.

**Springer Science+ Business Media:** Mr. Stephen Want and Ms. Karen Van Gilder spoke with a Sally Ellyson, Manager, Contracts & Administration, from Springer about mandatory deposit for electronic serials. Questions about registration were referred to the Registration Program. Further discussions will resume once these questions have been clarified.

**Walter de Gruyter:** Mr. Stephen Want has been in contact with Sven Fund, President, and Andreas Paminger, Director – Operations, North America, from Walter de Gruyter. A special relief agreement



has been signed that will provide access to the De Gruyter catalog in lieu of depositing best edition physical copies, and which will also allow Library patrons to access De Gruyter serials and ebooks via degruyter.com. Walter de Gruyter has begun depositing electronic files for books and journals.

### **Outreach within the Library**

**Cross-Service Unit working groups:** Representation from CAD meets with many different groups on a regular basis. These groups include the Acquisitions Advisory Group, Acquisitions and Bibliographic Management Team (ABAMT), Additional Service Copies Implementation Team, Best Edition Working Group, Cataloging in Publications eCIP Operations, Collection Policy Committee (CPC), Collection Development Roundtable, Digital Collections Coordinating Committee (DC3), Digital Content Advisory Group (DCAG), DMS Development, eSerial Operations, Internal Content Transfer Group (CTS users), LS Chiefs, OSI-ITS Content Transfer, RFA Automation Project, and Serials Control Advisory Board.

**MBRS:** Ms. Daria Proud and Ms. Eileen Lowry spent a day with David March from MBRS. The collaborative effort included gaining a better understanding of current workflow and systems for searching and tracking acquisitions of motion pictures, and setting up arrangements for sharing these resources toward increasing the number of films acquired for the Library's collection through mandatory deposit.

**Technical Reports Section:** Mr. Stephen Want and Ms. Daria Proud continued their collaboration with Mr. Lawrence Marcus, head of TRS, on a special project to acquire technical standards reports through copyright deposit. The desired outcome is for standards issuing organizations to establish a regular program of deposit for future issuances.

**Prints and Photographs Division:** At the request of the Library's Prints & Photographs Division, Mr. Stephen Want gave a presentation about mandatory deposit and CAD, to educate PPD about the limitations of the current demand process and explore ways in which prints and photographs might be added to the CAD workflow in the future.

**Copyright Office Walk In My Shoes (WIMS) video presentation:** Mr. Stephen Want and Ms. Michelle Campbell assisted with a Copyright Office intern project to develop video presentations detailing the activities of different Copyright Office Divisions, providing presentations on an overview of CAD and the eSerials project, respectively.

**Copyright Metasearch Training:** Ms. Daria Proud conducted three training sessions to

Recommending Officers and ABA Acquisitions Librarians. The federated search tool provides Law Library and Library Services staff access to copyright deposit records, potentially reducing duplication and acquisitions expenditures for works already received or in-process through copyright registration or mandatory deposit. Beacher Wiggins, Director for Acquisitions & Bibliographic Access, shared a commendation from the Library – and specifically 2910 members of the ABA Labor Management Consultative Group – regarding the Metasearch training as part of the ongoing improvement of cooperation between CAD and the Library, as follows:

**“Successful ABA/Copyright Office cooperation:** [Eric] Needle said that after many years of effort, ABA and the Copyright Office had achieved a high degree of cooperation. He thanked Stephen Want and Daria Proud, the chief and assistant chief of the Copyright Acquisitions Division, for facilitating this improvement. He shared with the Consultative Group a memo on the problem of Copyright receipts and duplication that he had written as a technician in May 1993, titled ‘Evaluation of subscription purchase orders.’ [Jacqueline] Coleburn and Needle both said that the cooperation appeared to be positive and ongoing. They praised the Metasearch tool developed by CAD and shared with ABA.”

**Outreach with external partners:**

**British Library:** Mr. Stephen Want coordinated a call between representatives from the Library of Congress and the British Library, including Alisdair Ball, Head, Collection, Acquisition & Description at the British Library. This call continued discussions from earlier in 2013 about eDeposit strategies and how electronic legal deposit is handled in each institution.

**Computers in Libraries 2014:** Ms. Lowry attended the CIL 2014 held at the Washington Hilton Hotel. While at the conference, Ms. Lowry spoke briefly with representatives from IEEE and Sage Publications regarding the current efforts to acquire and archive electronic journal content.

**JATS-CON:** Mr. Stephen Want, Ms. Michelle Campbell, and Ms. Karen Van Gilder attended the JATS-CON conference at the NIH campus, where they were able to meet with publishers and third party depositors to discuss deposit of electronic serials. Stephen Want delivered a short presentation to conference attendees outlining the options for mandatory deposit of eSerials. He emphasized the options of depositing through a third party agent for deposit, such as DCL, or forging a special relief agreement permitting electronic deposit in lieu of print copy deposit in return for Library access to the

material through the publisher's online service and deposits into a Library dark archive.

**National Library of New Zealand:** Ms. Michelle Campbell, Ms. Karen Van Gilder, and Mr. Stephen Want, along with other representatives from the Library met with Amy Joseph from the National Library of New Zealand. They discussed the workings of electronic legal deposit in each country.

**NISO Packaging and Exchange Serial Content project (PESC):** Mr. Stephen Want participated in the NISO working group. This group is working to develop recommended practices for packaging and delivering serial content.

**Signiant:** Ms. Michelle Campbell and Ms. Karen Van Gilder from CAD, along with Mr. Carl Watts from ITS spoke with Signiant Professional Services about further development of a new portal for eSerial deposit from publishers.

**Third party depositors for electronic material:** Mr. Stephen Want continued to build a relationship with two potential third party depositors. Data Conversion Laboratory (DCL) signed a cooperative agreement with the Library, becoming an approved third party agent for deposit with the Copyright Office. Highwire sent test files in response to discussions about becoming a third party agent. To date, no cooperative agreement has been established with Highwire.

### **Personnel Management**

**Awards:** (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Promotions:** Ms. LaTashae Fletcher was promoted from the Technical Processing Unit to the position of Acquisitions Technician in the Acquisitions Section of CAD.

**Details:** Ms. Medrone Wilder performed a 60 day detail in the Acquisitions Section in CAD as an Acquisitions Technician.

**New Hires/Reassignments:** Mr. Joseph Mroczyk-Kershaw accepted the position of Deposits

Technician in the Technical Processing Unit. He had previously been part of the In-Processing Section of the Receipt Analysis and Control Division of the Copyright Office. Ms. Dayna Cooper was reassigned from the Office of the General Counsel, Copyright Office, to the position of Program Specialist.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2014 and Records Management Basic Awareness 2.0.

A Metasearch training session was held for CAD staff in preparation for the Metasearch training sessions facilitated by CAD for LC Recommending Officers and Acquisitions staff.

The following additional training was completed by various division staff members:

Business Grammar: Parts of Speech, Business Writing: How to Write Clearly and Concisely, CFC Keyworker Training, COR – Contracting Officer Representative Training, Dealing with Irrational Customers and Escalating Complaints, DOE LDSE: Effective Leadership through Emotional Intelligence, Email Etiquette Series (12 Immutable Laws of Email Etiquette), HTML Introduction, Momentum: Training for Contracting Officer Representatives, Plan and Manage Project Communications, Success Over Stress, Using the Calendar in Outlook 2007.

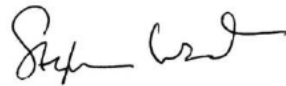
## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers:

- Algora Publishing
- Berghahn Books
- Bethany House Publishers
- Bloomsbury Publishing
- Boston Globe
- Boston University School of Law
- Brooklyn Law School
- Calamari Press
- Cam-Tech Publishing
- Canarium Books
- Chax Press
- Colorado Mountain Club Press
- Counterpath
- Counterpoint and Soft Skull Press
- Creative Nonfiction
- Curbside Splendor
- Cune Press
- Disinformation Company
- East Bridge
- Elsevier
- Emeth Press
- Enchanted Lion Books
- Factory Hollow Press
- Featherproof books
- Gentle Path Press
- Gold Line Press
- Gorgias Press
- Grove/Atlantic, Inc.
- Gulf Coast Association of Geological Society, University of Texas, Austin
- IGRUILITA Press
- KinderSpiel
- Melville House
- Menucha (Targum) Press
- Merrell Publishers
- MIT List Visual Arts Center (LVAC)
- Monkey Puzzle Press
- Monkfish Book Publishing Company
- Montgomery County Genealogical and Historical Society
- Oni Press
- Paradigm Publishers
- Pagasus Books
- Pointed Leaf Press
- Random House/Ten Speed Press
- Sage Publications
- Skyhorse Publishing
- Springer Science+ Business Media

- Sterling & Ross Publishers
- University of Arkansas
- University of California, Davis
- University of California, Los Angeles
- University of Connecticut
- University of Maryland
- University of Miami
- University of Michigan
- University of New Orleans Press
- University of North Texas
- University of Oregon
- University of San Francisco
- University of Toledo
- University of the District of Columbia
- Villanova School of Law
- Wiley-Blackwell
- William S. Hein & Company, Inc.
- WND Books

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2015



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**Stephen Want**  
Chief, Copyright Acquisitions Division  
October 28, 2015

**COPYRIGHT ACQUISITIONS DIVISION  
FY2015 ANNUAL REPORT**

**Date: October 28, 2015**

**PART I: Mission Effectiveness**

**Acquire works for Library of Congress Collections**

**Summary of Mandatory Deposits Transferred to LC in FY 2015:**

The Copyright Acquisitions Division (CAD) received a total of 345,253 pieces via mandatory deposit and 407 demands, with a total value of \$15,836,919 transferred to the Library. Of these deposits, the Acquisitions section received 10,708 pieces, with a value of \$543,701. The Technical Processing Unit recorded 35,540 pieces, transferring 33,743 pieces to the Library's collection, with a total value of \$2,362,405. Deposits not requiring individual records total 300,802 pieces, with a total value of \$12,930,813.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	59,537	\$3,236,349
CD/DVDs	1,226	\$31,740
Serials <sup>1</sup>	278,702	\$11,810,304
Microforms	4,395	\$659,062
Motion Pictures	2	\$30
Printed music	1,242	\$70,150
Maps	131	\$28,580
Prints, Posters, Photographs, Works of Art	18	\$704
<b>Total</b>	<b>345,253</b>	<b>\$15,836,919</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
Books	43,554	\$6,207,316
Serials <sup>2</sup>	1,668	\$1,444,536
<b>Total</b>	<b>45,222</b>	<b>\$7,651,852</b>

**Acquiring Electronic Materials**

CAD has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire works available exclusively in digital

<sup>1</sup> Approximately 70% of \$407 serials forwarded directly from RACD to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred.

<sup>2</sup> Value based on 2015 annual subscription rates.



format. Previously, online-only works were exempt from the mandatory deposit provision of the copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit.

As the project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. Focus has shifted to reviewing a publisher's entire catalog and demanding all eligible titles. A cooperative agreement was signed with Data Conversion Laboratories (DCL), who can now function as a third party agent for deposit with the Copyright Office and Library of Congress. To date, no publishers are utilizing a third party to fulfill their deposit requirements. CAD has secured special relief agreements with Walter de Gruyter, Hindawi Publishing Corporation, and Emerald Publishing Group which provides Library patrons access to electronic material directly through these publishers' online services. In exchange, the publishers deposit electronic materials for all their serial content. These deposits are held in a dark archive until such a time as the publisher no longer provides access. The value of materials accessible through these publishers' sites is estimated at \$7,851,852. Hindawi and de Gruyter are regularly depositing and Emerald is expected to begin depositing at the beginning of the next fiscal year.

CAD has been a significant element in the development of the technology behind the project, playing an active role in the DMS development group. Access to content not already available through the publisher's website is available through two dedicated workstation in the Machine readable and Electronic Resource Center (MERC). Back end updates have been implemented, as well as updates leading to integrating Signiant MX into the eDeposit workflow, and handling system to system files for ingestion.

This fiscal year, eDeposit has grown. CAD more than doubled the number of titles demanded from 925 to 2,087 titles. Content has been received for 1,441 titles, up from 643. This fiscal year, 13 publishers have deposited electronic content for 1,319 titles. The expansion of the eSerial collection to date is illustrated in Table 3 below.

<b>Table 3</b>	<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>					
	FY11	FY 12	FY 13	FY 14	FY 15	Total
<b>Titles Demanded</b>	98	89	47	691	1,162	<b>2,087</b>
<b>New Titles Received</b>	79	11	137	416	798	<b>1,441</b>
<b>New Publishers</b>	30	2	0	0	5	<b>37</b>
<b>Issues Received</b>	816	277	2,156	2,655	17,636	<b>22,587<sup>3</sup></b>
<b>Files Received</b>	90,979	9,156	71,148	150,788	1,682,499	<b>2,004,570</b>

## Productivity and Workload/Workflow

### Summary of CAD Acquisitions Activities

Table 4 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 4**

<b>CAD Comparative Acquisitions Statistical Report FY 2015</b>			
	<b>FY15</b>	<b>FY14</b>	<b>% Change</b>
Titles Received	2,783	3,651	-23.77%
Pieces Received	10,875	29,138	-62.68%
Value of Works Received	\$544,449	\$863,198	-36.93%
Registration Fees	\$12,360	\$9,715	27.23%
Recommendations Received	4,665	2,499	86.67%
Titles Demanded	5,361	4,423	21.21%
Follow-up Actions	2,332	1,951	19.53%

The division started this fiscal year with 351 LC recommendations on hand, received an additional 4,665 LC recommendations throughout the year and ended the year with 190 items on hand.

**Comprehensive Publisher Reviews:** The Division's five acquisitions specialists reviewed 45 publishers. A list of publisher reviews conducted this year can be found in Attachment 1.

<sup>3</sup>Issues received total reflects the number of issues after discards and/or duplicate receipts. Total number of issues received and transferred to LC are 23,540.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers:

**Pacific Section SEPM:** only one deposit copy required for book #108 *Geologic Excursions in California and Nevada: Tectonics, Stratigraphy, and Hydrology*.

**Range Magazine:** Deposit of one copy will be accepted for back issues. They will deposit two copies of all issues published in the future.

**Josey Downey:** Informal special relief from deposit of published works.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 400 deposits on hand. The staff created 28,622 records for a variety of library materials received through mandatory deposit. The unit ended the year with 100 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, staff continued processing acquisition requests for 2<sup>nd</sup> deposit copies when the publisher failed to provide the two required copies. The unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 65,491 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 1,264 back issues of various research and scientific journals. The subscription value savings to the Library was \$118,229. Additionally, 58 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$121,866.

## **PART II: Program Management**

### **Publisher Outreach**

**Elsevier:** After sending a demand for 83 electronic and 104 print journal titles, CAD has been working with Elsevier toward deposit of their content. Elsevier has indicated that a special relief agreement may be agreeable.

**Emerald Publishing Group:** Work has continued with representatives at Emerald Publishing to ensure all aspects of the special relief agreement are fulfilled. Emerald is providing access to their journals via the Emerald Insight website. In return, they are not required to deposit print journals, but rather to provide that content as digital files. These files will reside in a dark archive until such time as Emerald is no longer providing access through their site. They will deposit files for their content dating back to 1897.

**Hindawi:** CAD has worked with Hindawi to set up the means for regular deposits of their content. There was a prior special relief agreement for Hindawi to provide access to their journals via their website. They began depositing electronic files for their titles.

**Optical Society of America (OSA):** CAD has worked with Optical Society of America toward a special relief agreement where they will provide access to their e-only content via their website and deposit files for these titles to a dark archive. A special relief agreement has not been signed.

**Platts, McGraw-Hill:** Platts has begun depositing content for 21 titles. Leading up to the regular deposits, CAD spoke weekly with the Platts technical team to make preparation deposit.

**Springer:** CAD has been in discussion with Springer regarding deposit of their journals. Both Springer and the Library have been weighing details to a special relief agreement.

**Taylor and Francis:** CAD has begun preliminary conversations with Taylor and Francis about deposit of their electronic and print journals. Taylor and Francis is weighing the possibility of providing access and digital deposits of all their content in lieu of print deposit.

### **Outreach within the Library**

**Cross-Service Unit working groups:** Representation from CAD meets with many different groups on a regular basis. These groups include the Acquisitions Advisory Group, Acquisitions and Bibliographic Management Team (ABAMT), Additional Service Copies Implementation Team, Best Edition Working Group, Cataloging in Publications eCIP Operations, Collection Policy Committee (CPC), Collection Development Roundtable, Digital Collections Coordinating Committee (DC3), Digital Content Advisory

Group (DCAG), DMS Development, eSerial Operations, Internal Content Transfer Group (CTS users), LS Chiefs, OSI-ITS Content Transfer, RFA Automation Project, and Serials Control Advisory Board.

**Collection Development Office:** Mr. Stephen Want provided an overview of CAD for new staff members of the Collection Development Office.

**Hebraic Section:** Members of the Acquisitions Section met with representatives from the Hebraic Section to discuss the receipt of materials from several publishers, including Kehot and Artscroll.

**Law Library:** During Q2 Ms. Dayna Cooper, with assistance from Ms. Daria Proud and Ms. D'Andrea Hamn, undertook a review of Law Library serials acquired through purchase to determine whether any titles might be acquired through mandatory deposit. Working with Library analysts and Law Library staff, Ms. Cooper streamlined applicable data, and reviewed it internally with the CAD Acquisitions Section, before transmitting back to the Law Library a finalized list of titles potentially within scope for mandatory deposit. The Law Library will now submit RFAs of suitable titles to CAD after having completed the required research on those titles.

**Preservation Directorate:** Mr. Stephen Want toured the preservation directorate on February 12, 2015.

**RFA Automation Project:** Ms. Daria Proud and Mr. Stephen Want have provided copyright and CAD-related input to an ongoing project to automate the RFA process and create an interactive database of RFAs across the range of acquisitions workflows used by the Library. This project is currently awaiting budgetary and resource support to move forward.

**Outreach with external partners:**

**George Washington University School of Law:** Mr. Stephen Want gave a presentation on CAD and Copyright acquisitions to a group of visiting students.

**JATS-CON:** Mr. Stephen Want, Ms. Eileen Lowry, and Ms. Karen Van Gilder attended the JATS-CON conference at the NIH campus, where they were able to meet with publishers and third party depositors to discuss deposit of electronic serials.

**Munich IP Law Center:** On June 1, Mr. Stephen Want gave a presentation about mandatory deposit during the group's visit to the Copyright Office.

**NISO Packaging and Exchange Serial Content project (PESC):** Mr. Stephen Want participated in the NISO working group. This group has developed recommended practices for packaging and

delivering serial content.

**Third party depositors for electronic material:** Mr. Stephen Want continued to build a relationship with third party depositors. Data Conversion Laboratory (DCL) previously signed a cooperative agreement with the Library, becoming an approved third party agent for deposit with the Copyright Office.

### **Personnel Management**

**Awards:** (b) (6),  
(b) (6),  
(b) (6),  
(b) (6).

**Transfers:** Ms. Myra Laird transferred from the Copyright Acquisitions Division to the Administrative Services Office.

**Retirements:** Mr. Bernard Mercer retired from the Library of Congress on June 30, 2015.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2015.

The following additional training was completed by various division staff members:

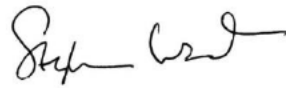
Active Shooter, Business Grammar, Enhancing Creativity, Effective Team Communication, First Aid/CPR, French 101, Hear Me Code: Beginner Python Coding, Japanese Language Table, Key Elements of a Project Plan, Listening Essentials, Managing Change, Photoshop CS5, Problem Solving, Public Speaking Strategies, Reflections on Issues of Race and Class in 21st Century America, Retirement Planning Seminar, Sprains and Strains, Structured Interviews, Time Management, Windows 8.1 Update skills

## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers:

- Addleton Academic
- Archaia Entertainment
- Bloomsbury Publishing, PLC
- Cambria Press
- Cavendish Square
- Chax Press
- Counterpath
- Creative Publishing International
- Counterpoint and Soft Skull Press
- Eakins Press
- East Bridge
- Elixir Press
- Elsevier
- Factory Hollow Press
- Fair Winds Press
- Featherproof Books
- Focal Press
- Frick Collection
- Gentle Path Press
- Ginko Press
- Gold Line Press
- Greenleaf Publishing
- Harvard Education Press
- Hindawi Publishing Corporation
- Intellect Ltd
- Merrell Publishers
- Monacelli Press
- Oni Press
- Orange Frazer
- Outlook Press
- Pace University Press
- Palgrave Macmillian
- Paradigm Press
- Pegasus Books
- Sage Publications
- Skyhorse Publishing
- Society of Automotive Engineers
- Springer
- Summit Records
- The Vendrome Press
- Top Shelf Productions
- Vivays Publishing Ltd.
- Wiley-Blackwell
- William S. Hein & Company, Inc
- Yen Press/Hachette Book Group

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2016



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**Stephen Want**  
Chief, Copyright Acquisitions Division  
October 25, 2016



**COPYRIGHT ACQUISITIONS DIVISION  
FY2016 ANNUAL REPORT**

**Date: October 25, 2016**

**PART I: Mission Effectiveness: Acquire Works for Library of Congress Collections**

**Summary of Mandatory Deposits Transferred to LC in FY 2016:**

The Copyright Acquisitions Division (CAD) received a total of 328,445 pieces via mandatory deposit and 407 demands, with a total value of \$15,766,393 transferred to the Library. Of these deposits, the Acquisitions section received 14,132 pieces, with a value of \$1,387,357. The Technical Processing Unit recorded 33,337 pieces, transferring 31,099 pieces to the Library's collection, with a total value of \$2,325,625. Deposits not requiring individual records total 283,214 pieces, with a total value of \$12,053,411.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	61,039	\$3,859,430
CD/DVDs	542	\$16,180
Serials <sup>1</sup>	259,776	\$10,950,633
Microforms	4,580	\$687,000
Motion Pictures	6	\$80,520
Printed music	2,277	\$140,744
Maps	222	\$31,765
Prints, Posters, Photographs, Works of Art	3	\$121
<b>Total</b>	<b>328,445</b>	<b>\$15,766,393</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
Books	51,120	\$7,758,482
Serials	1,933	\$2,155,372
<b>Total</b>	<b>53,053</b>	<b>\$9,913,854</b>

**Acquiring Electronic Materials**

CAD has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire serials available exclusively in digital format. Previously, online-only works were exempt from the mandatory deposit provision of the

<sup>1</sup> Approximately 70% of \$407 serials forwarded directly from RACD to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred.

copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. The Copyright Office issued a Notice of Intent for deposit of two additional formats within the online-only category: ebooks and digital audio. In anticipation of an expanded regulation, CAD has been working alongside Library Services to develop business requirements for these additional formats.

As the electronic serials project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. CAD has worked in concert with Library Services to review a publisher's entire catalog and demand all eligible titles. CAD has secured special relief agreements with Walter de Gruyter, Hindawi Publishing Corporation, and Emerald Publishing Group, Optical Society of America, and Taylor & Francis which provides Library patrons access to electronic material directly through these publishers' online services. In exchange, the publishers deposit electronic materials for all their serial content. These deposits are held in a dark archive until such a time as the publisher no longer provides access. The value of materials accessible through these publishers' sites is estimated at \$9,913,854. Taylor & Francis is expected to begin depositing at the beginning of the next fiscal year. Additional special relief agreements are proposed and under negotiation with Springer Nature, Cambridge University Press, Oxford University Press and Sage Publishing.

CAD has been a significant element in the development of the technology behind the project, playing an active role in the DMS development group. Access to content not already available through the publisher's website is available through two dedicated workstation in the Machine readable and Electronic Resource Center (MERC). Back end updates have been implemented, as well as updates leading to the integration of Signiant MX into the eDeposit workflow, and better handling of system to system files for ingestion.

This fiscal year, eDeposit has grown. CAD more than doubled the number of titles demanded from 2,087 to 4,628 titles. Content has been received for 1,674 titles, up from 1,441. This fiscal year, 20 publishers have deposited electronic content for 1,349 titles. The expansion of the eSerial collection to date is illustrated in Table 3 below.

<b>Table 3</b>	<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>						
	FY11	FY 12	FY 13	FY 14	FY 15	FY16	Total
<b>Titles Demanded</b>	98	89	47	691	1,162	2,541 <sup>2</sup>	<b>4,628</b>
<b>New Titles Received</b>	79	11	137	416	798	233	<b>1,674</b>
<b>New Publishers</b>	30	2	0	0	5	8	<b>45</b>
<b>Issues Received</b>	817	277	2,156	2,664	16,775	11,074	<b>32,947<sup>3</sup></b>
<b>Files Received</b>	86,107	8,942	71,148	150,845	1,677,053	1,118,633	<b>3,112,698</b>

## Productivity and Workload/Workflow

### Summary of CAD Acquisitions Activities

Table 4 below provides a summary of works acquired by CAD in response to demands for mandatory deposit.

**Table 4**

<b>Comparative Acquisitions Section Statistical Report FY 2016</b>			
	<b>FY16</b>	<b>FY15</b>	<b>% Change</b>
Titles Received	5,341	2,783	91.92%
Pieces Received	14,132	10,875	29.95%
Value of Works Received	\$1,387,357	\$544,449	154.82%
Registration Fees	\$7,430	\$12,360	-39.89%
Recommendations Received	6,360	4,665	36.33%
Titles Demanded	6,582	5,361	22.78%
Follow-up Actions	1,774	2,332	-23.93%

The division started this fiscal year with 190 LC recommendations on hand, received an additional 6,360 LC recommendations throughout the year and ended the year with 113 items on hand.

**Comprehensive Publisher Reviews:** The Division's five acquisitions specialists reviewed 35 publishers. A list of publisher reviews conducted this year can be found in Attachment 1.

<sup>2</sup> 55 Walter de Gruyter titles were purged in July, 2016. They had never been deposited and are no longer in print.

<sup>3</sup> Issues and files received total reflects the number after discards and/or duplicate receipts. 35,210 total issues were received and transferred to LC.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers:

- **American Solar Energy Society:** One deposit copy accepted.
- **Financial Accounting Foundation:** One print copy will be accepted.
- **Gorgias Press:** One deposit copy accepted for their works.
- **Optical Society of America:** deposit PDF and XML files for electronic serials and provide access to their e-only content via OSA's web portal.
- **Taylor & Francis:** deposit electronic copies of their journal catalog and provide access to all their journals via T&F web portal. In exchange, Taylor & Francis is exempt from depositing physical copies of any journal title deposited in electronic format.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 100 deposits on hand. The staff created 26,941 records for a variety of library materials received through mandatory deposit. The unit ended the year with 50 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, staff continued processing acquisition requests for 2<sup>nd</sup> deposit copies when the publisher failed to provide the two required copies. The unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 54,381 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 843 back issues of various research and scientific

journals. The subscription value savings to the Library was \$10,629. Additionally, 15 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$19,307.

**Serials Discard Project:** CAD sends discard letters to depositing publishers of serials the Library does not collect. This saves the Library the expense of processing discarded content, while also saving the publisher the cost of depositing content not retained in the Library's collection. This fiscal year, CAD issued 419 discard letters.

## **PART II: Program Management**

### **Publisher Outreach**

**BE Press:** Stephen Want and Michelle Campbell discussed mandatory deposit electronic serials on behalf of BE Press client publishers with Eli Windchy, Vice President, Consulting Services, BE Press, 28<sup>th</sup> September 2016.

**Cambridge University Press:** CAD has contacted Cambridge University Press about acquiring their journal content through a special relief agreement. Details are still being discussed before the agreement can be executed.

**Elsevier:** After sending a demand for 83 electronic and 104 print journal titles, CAD has been working with Elsevier toward deposit of their content. Elsevier deposited print surrogate copies for some of the demanded titles, though these are not best edition. CAD has been working through the Copyright General Counsel's office to find resolution in the matter.

**Emerald Publishing Group:** After signing a special relief agreement in 2014, Emerald began depositing content regularly in October, 2016. As some of this content was incomplete, it was not added to the collection. CAD has worked with Emerald to resolve this incomplete deposit status, with complete deposits expected to begin in October, 2016. Late in the fiscal year, Emerald delivered a hard drive of archival eBook and journal content. CAD has worked with OCIO to unpack and ingest this content. A test title was ingested; the remainder of the content will be ingested and included in FY2017 inventory statistics.

**Intellect Ltd.:** Intellect has signed a special relief agreement to allow access to their journals via their

web portal. The agreement is awaiting approval by Library Services and the Copyright Office. Intellect has already made their content accessible. Once the agreement is signed by all parties, content delivery can begin.

**Kobalt Music:** Stephen Want briefed visitors from Kobalt Music, 25<sup>th</sup> August 2016, on current US Copyright Office mandatory deposit processes, and the proposed changes in Section 407 likely in 2017 permitting demand of digital audio.

**NewsBank:** Stephen discussed mandatory deposit requirements and possible digital deposit options for newspapers with Chris Cowan, Senior Vice President & Chief Product Officer, NewsBank, 16<sup>th</sup> September 2016.

**Optical Society of America (OSA):** The US Copyright Office, the Library and Optical Society of America signed a special relief agreement where OSA will deposit files for their electronic serials and provide access to these files via their website.

**Oxford University Press:** CAD has begun discussions with Oxford University Press about the possibilities of a special relief agreement for their journals. As they are going through a platform upgrade, conversations will resume in FY 2017.

**Springer Nature:** CAD has been in discussion with Springer Nature regarding deposit of their journals. Both Springer and the Library have been weighing details for a special relief agreement.

**Taylor & Francis:** Taylor & Francis, the US Copyright Office and the Library signed a special relief agreement, where Taylor & Francis will deposit digital files for all their serial content, dating back to 2010, to be held in a dark archive. Taylor & Francis will also provide access to their serials via their web portal. In return, Taylor & Francis will be exempt from deposit of their print journals. Technical details for access and delivery of files are pending.

**UL LLC:** Stephen Want discussed technical standard publications with UL LLC, 12<sup>th</sup> August 2016, with the aim of bringing UL LLC back into compliance with mandatory deposit requirements after a several year deposit hiatus. UL LLC are considering whether to register some or all of approximately 400 technical standards publications, while complying with demands for the remaining publications.

### **Outreach within the Library**

**Cross-Service Unit working groups:** Representation from CAD meets with many different groups on

a regular basis. These groups include the Acquisitions Advisory Group, Acquisitions and Bibliographic Management Team (ABAMT), Additional Service Copies Implementation Team, Best Edition Working Group, Cataloging in Publications eCIP Operations, Collection Policy Committee (CPC), Collection Development Roundtable, Digital Audio Working Group, Digital Collections Coordinating Committee (DC3), Digital Content Advisory Group (DCAG), DMS Development, eBook Working Group, eSerial Operations, Internal Content Transfer Group (CTS users), LS Chiefs, OSI-ITS Content Transfer, RFA Automation Project, and Serials Control Advisory Board.

**Increasing RFA submissions:** Stephen Want and Daria Proud began an initiative to remind selected Library Divisions that acquisitions through mandatory deposit could replace purchasing materials, including from foreign publishers in scope for demand, to refresh their understanding of the mandatory deposit RFA workflow, and schedule training, as needed, in use of the Copyright Metasearch tool to research prospective title demands, all aimed at increasing the submission of RFAs to CAD.

**Outreach with external partners:**

**ALA:** Stephen Want attended the American Library Association Annual Conference in Orlando, FL, 24-25 June, and met with a range of exhibiting publishers to discuss with them their mandatory deposit responsibilities, as well as gathering information about eBook publishing for input to the development of future copyright regulations.

**David Rosenthal, LOCKSS:** Stephen Want and Karen Van Gilder attended a presentation on the digital archiving work performed by LOCKSS, 20<sup>th</sup> September 2016.

**DPLAfest:** Eileen Lowry attended DPLAfest, 14-15 April, hosted at the Library and National Archives.

**JATS-CON:** Stephen Want and Karen Van Gilder attended the JATS-CON conference at the NIH campus, where they were able to meet with publishers and third party depositors to discuss deposit of electronic serials.

**Jon Tandler:** Stephen Want met with Jon Tandler of the Sherman & Howard law practice, 9<sup>th</sup> May 2016, and briefed him on the Copyright Acquisitions Division and current mandatory deposit activities.

**The Keeper's Registry:** Stephen Want participated in a conference call with The Keepers Registry, Friday 11<sup>th</sup> March, to provide input on US Copyright Office deposit programs and CAD relationships with depositing publishers.

**Singapore Communications Minister:** Stephen Want met with the Singapore Minister for Communications and Information, Dr. Yaacob Ibrahim, and staff of the National Library of Singapore,

19<sup>th</sup> May 2016, and briefed them on the Copyright Acquisitions Division and current US mandatory deposit activities.

### **Personnel Management**

**Awards:** (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**New Hires:** Ms. Tiffany Senn joined CAD as the Administrative Assistant to the Chief. Ms. Dawn Rapoza joined CAD as a Copyright Acquisitions Specialist.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2016.

The following additional training was completed by various division staff members:

- Ethics and Standards of Conduct
- Records Management Basic Awareness 2.0
- Sexual Harassment Prevention for Federal Employees
- Developing and Deploying Strategic Plans
- Communication Methods that Make Sense – and Make Your Point
- Being an Effective Team Member
- Telecommuting Basics: Communication Strategies for the Remote Employee
- Business Grammar: Punctuation
- Distributing Presentations in PowerPoint 2007
- Emotional Intelligence: applying EI at Work
- Business Writing: How to Write Clearly and Concisely
- Agile Planning
- Getting Started with Excel 2010
- Time Management: Quit Making Excuses and Make Time Instead
- LOC Telework Basics for Employees
- Time Management: Avoiding Time Stealers
- Time Management: Analyzing Your Use of Time
- Project Management Principles

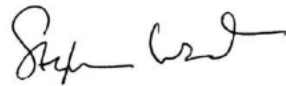


## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers:

- Addleton Academic
- Agate Publishing
- AntiBook Club
- Archaia Entertainment
- Bloomsbury Publishing, PLC
- Cambria Press
- Cambridge Scholars Press
- Cato Institute Press
- Cavendish Square
- Chelsea Editions
- CN Times Inc.
- Commonwealth Books of Virginia
- Elsevier
- Gingko Press
- Gorgias Press
- Hindawi Publishing Corporation
- Intellect Ltd
- Monacelli Press
- Overlook Press
- Palgrave Macmillian
- Penny Publications
- Pluto Press
- Pointed Leaf Press
- Posi-Tone Records
- Tiger Bark Press
- Twelve/Hachette Book Group
- Springer
- Top Shelf Productions
- University of Arkansas Press
- Urban Land Institute
- University of California Press
- University of Louisiana at Lafayette Press
- University of Missouri Press
- Wiley-Blackwell
- Yen Press/Hachette Book Group

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2017



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**Stephen Want**  
Chief, Copyright Acquisitions Division  
October 25, 2017

**COPYRIGHT ACQUISITIONS DIVISION  
FY2017 ANNUAL REPORT**

**Date: October 25, 2017**

**PART I: Mission Effectiveness: Acquire Works for Library of Congress Collections**

**Summary of Mandatory Deposits Transferred to LC in FY 2017:**

The Copyright Acquisitions Division (CAD) received a total of 385,547 pieces via mandatory deposit and 407 demands, with a total value of \$27,331,056 transferred to the Library. Of these deposits, the Acquisitions section received 14,050 pieces, with a value of \$1,132,148. The Technical Processing Unit recorded 35,974 pieces, transferring 33,695 pieces to the Library's collection, with a total value of \$2,540,305. Deposits not requiring individual records total 337,802 pieces, with a total value of \$23,658,603.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	77,177	\$5,875,853
CD/DVDs	973	\$21,307
Serials <sup>1</sup>	301,962	\$20,764,696
Microforms	3,699	\$558,500
Motion Pictures	0	\$0
Printed music	1,586	\$103,534
Maps	99	\$5,051
Prints, Posters, Photographs, Works of Art	51	\$2,115
<b>Total</b>	<b>385,547</b>	<b>\$27,331,056</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
Books	60,211	\$7,884,630
Serials	3,868	\$5,755,584
<b>Total</b>	<b>64,079</b>	<b>\$13,640,214</b>

**Acquiring Electronic Materials**

CAD has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire serials available exclusively in digital format. Previously, online-only works were exempt from the mandatory deposit provision of the

<sup>1</sup> Approximately 70% of \$407 serials forwarded directly from RACD to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred.

copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. In anticipation of an expanded regulation for ebooks and digital audio, CAD has continued working alongside Library Services to develop business requirements for these additional formats.

As the electronic serials project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. CAD has worked in concert with Library Services to review a publisher's entire catalog and demand all eligible titles. CAD has secured and maintained special relief agreements with Walter de Gruyter, Hindawi Publishing Corporation, Emerald Publishing Group, Intellect Journals, Optical Society of America, and Taylor & Francis. These publishers provide Library patrons access to electronic material directly through their online services. In exchange, the publishers deposit electronic materials for all their serial content. These deposits are held in a dark archive until such a time as the publisher no longer provides access. The agreement with Walter de Gruyter also provides for deposit and access of electronic books in lieu of print deposit. The value of materials accessible through these publishers' sites is estimated at \$13,640,214. By the end of fiscal 2017, CAD had received 35,581 ebooks, primarily through the Walter de Gruyter special relief agreement. 23,107 of these ebooks were deposited in FY2017. Until a workflow has been developed, these ebooks are inventoried in CTS and stored on long-term storage. Additional special relief agreements have been proposed and are under negotiation with Springer Nature, Cambridge University Press, Oxford University Press and Sage Publishing.

CAD has been a significant element in the development of the technology behind the project, playing an active role in the DMS development group. Access to content not already available through the publisher's website is available through two dedicated workstation in the Machine readable and Electronic Resource Center (MERC). Back end updates and better handling of system to system files for ingestion have been implemented.

This fiscal year, eDeposit has seen significant growth. CAD increased the number of titles demanded from 4,628 to 5,010 titles. Content has been received for 3,429 titles, up from 1,674. This fiscal year, 31 publishers have deposited electronic content for 3,087 titles. The expansion of the eSerial

collection to date is illustrated in Table 3 below.

<b>Table 3</b>	<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>							
	FY11	FY 12	FY 13	FY 14	FY 15	FY16	FY17	Total
<b>Titles Demanded</b>	98	89	47	691	1,162	2,541 <sup>2</sup>	482	<b>5,110</b>
<b>New Titles Received</b>	79	11	137	416	798	233	1,755	<b>3,429</b>
<b>New Publishers</b>	30	2	0	0	5	8	9	<b>54</b>
<b>Issues Received</b>	817	277	2,156	2,664	16,775	11,074	79,346	<b>111,065<sup>3</sup></b>
<b>Files Received</b>	86,107	8,942	71,148	150,845	1,677,053	1,118,633	20,901,085	<b>24,013,813</b>

## Productivity and Workload/Workflow

### Summary of CAD Acquisitions Activities

Table 4 below provides a summary of works acquired by CAD in response to demands for mandatory deposit. These figures do not include electronic materials.

**Table 4**

<b>Comparative Acquisitions Section Statistical Report FY 2017</b>			
	<b>FY17</b>	<b>FY16</b>	<b>% Change</b>
Titles Received	3,964	5,341	-25.78%
Pieces Received	14,050	14,132	-0.58%
Value of Works Received	\$1,132,148	\$1,387,357	-18.40%
Registration Fees	\$6,372	\$7,430	-14.24%
Recommendations Received	2,033	6,360	-68.03%
Titles Demanded	4,114	6,582	-37.50%
Follow-up Actions	808	1,774	-54.45%

The division started this fiscal year with 113 LC recommendations on hand, received an additional 2,033 LC recommendations throughout the year and ended the year with 27 items on hand.

**Comprehensive Publisher Reviews:** The Division's four acquisitions specialists reviewed 31 publishers. A list of publisher reviews conducted this year can be found in Attachment 1.

<sup>2</sup> 55 Walter de Gruyter titles were purged in July, 2016. They had never been deposited and are no longer in print.

<sup>3</sup> Issues and files received total reflects the number after discards and/or duplicate receipts. All issues received were transferred to LC.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers:

- **Emerald:** updated the 2014 special relief agreement to remove the requirement for the Library to maintain current print subscriptions, saving the Library at least \$25,000 per year.
- **Ginko Press:** deposit one print copy of each published work
- **Intellect, Ltd:** deposit electronic copies of their journals. In exchange, Intellect will not need to deposit the print version of their titles. They also provide access to their content via their web portal.
- **Insight Publishing:** publisher may deposit one copy of *Qi: The Journal of Traditional Eastern Health & Fitness*
- **Southwestern Oklahoma State University:** publisher will send all issues in electronic format.
- **UL, LLC:** publisher may upload electronic copies for registration purposes. They will submit their current 400 titles on CD. Future titles will be submitted as digital copies on CD.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 50 deposits on hand. The staff created 27,878 records for a variety of library materials received through mandatory deposit. The unit ended the year with 40 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, the unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 46,413 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two

complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 430 back issues of various research and scientific journals. The subscription value savings to the Library was \$2,028. Additionally, 13 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$5,709.

**Serials Discard Project:** CAD sends discard letters to depositing publishers of serials the Library does not collect. This saves the Library the expense of processing discarded content, while also saving the publisher the cost of depositing content not retained in the Library's collection. This fiscal year, CAD issued 277 discard letters.

## **PART II: Program Management**

### **Publisher Outreach**

**Cambridge University Press:** CAD demanded electronic only journal content from Cambridge University Press. CAD has also continued discussion about special relief for their journal titles that are also available in print.

**Elsevier:** After sending a demand for 83 electronic and 104 print journal titles, CAD has been working with Elsevier toward deposit of their content. Elsevier deposited print surrogate copies for some of the demanded titles, though these are not best edition. CAD has continued working through the Copyright General Counsel's office to find resolution in the matter.

**Emerald Publishing Group:** At the request of the Collections Development Office, CAD participated in revisions to the 2014 special relief agreement. Under the new agreement, the Library is no longer required to maintain their current print subscriptions, saving the Library at least \$25,000 per year.

**Intellect Ltd.:** Intellect signed a special relief agreement to allow access to their journals via their web portal and has been delivering content to the Library.

**Oxford University Press:** CAD demanded electronic only journal titles from Oxford University Press. CAD has also continued discussion about special relief for the OUP journal titles also available in print.

**Sage Publishing:** CAD issued a demand for e-only titles and also included a list of titles that are eligible for special relief. CAD began technical discussions with Sage and will work toward delivery of content in the next fiscal year. Sage is also considering a special relief agreement for serial titles also available in print.

**Springer Nature:** Discussions with Springer have continued toward a special relief agreement for deposit of electronic content and on-site access via Springer Link in lieu of print deposit. Springer has also deposited content for their electronic only journal titles.

**Taylor & Francis:** Taylor & Francis began depositing journal titles in fulfillment of their special relief agreement. Taylor and Francis also opened discussions with USCO and the Library about adding their eBook titles to the Special Relief arrangement, including electronic deposit for both Section 407 and 408. After internal USCO discussions, a separate Special Relief agreement focused solely on eBooks is being drafted for review.

### **Outreach within the Library**

**Cross-Service Unit working groups:** Representation from CAD meets with many different groups on a regular basis. These groups include the Acquisitions Advisory Group, Acquisitions and Bibliographic Management Team (ABAMT), Cataloging in Publications eCIP Operations, Collection Policy Committee (CPC), Collection Development Roundtable, Digital Audio Working Group, Digital Collections Coordinating Committee (DC3), eBook Working Group, eDeposit Operations, Internal Content Transfer Group (CTS users), LS Chiefs, and Serials Control Advisory Board.

**Increasing RFA submissions:** Stephen Want and Daria Proud continued an initiative to remind selected Library Divisions that acquisitions through mandatory deposit could replace purchasing materials, including from foreign publishers in scope for demand, to refresh their understanding of the mandatory deposit RFA workflow, and schedule training, as needed, in use of the Copyright Metasearch tool to research prospective title demands, all aimed at increasing the submission of RFAs to CAD.

**LC Collection Development Office:** Stephen Want provided Copyright Acquisitions Division input to a report developed by the Library's Collection Development Office on current and future plans for acquisition of Dissertations.

**LC Envisioning 2025 Tiger Team:** Stephen Want represented the Copyright Acquisitions Division



and the US Copyright Office as part of the Library of Congress Envisioning 2025 project, and worked on Tiger Team 3: Content Repository. As part of the team, he advanced copyright and eDeposit priorities within that team's discussions and as an outcome of the final presentation.

**LC Leadership Development Program:** Stephen Want gave a presentation on the Copyright Acquisitions Division, its function within the US Copyright Office and Library of Congress, and mandatory deposit, to the LOC Leadership Development Program, 18<sup>th</sup> May.

**New Library Recommenders and Acquisitions Staff:** At the request of the CDO, Daria Proud participated in a training session for new ROs and Acquisitions staff. She provided guidance on how to work with CAD to acquire material for the LC collections, and followed up with an email containing links to the CAD Intranet page for ROs and ACQ staff.

#### **Outreach with external partners:**

**ALA:** Stephen Want attended the American Library Association Annual Conference in Chicago, IL, 23-24 June, and met with a range of exhibiting publishers to discuss with them their mandatory deposit responsibilities, as well as gathering information about eBook publishing for input to the development of future copyright regulations.

**Hispanic National Bar Association:** Stephen Want gave a presentation on the Copyright Acquisitions Division, its functions within the US Copyright Office and Library of Congress, and mandatory deposit, to visitors from the Hispanic National Bar Association.

**JATS-CON:** Stephen Want and Karen Van Gilder attended the JATS-CON conference at the NIH campus, where they were able to meet with publishers and third party depositors to discuss deposit of electronic serials.

#### **Personnel Management**

**Awards:** (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**New Hires:** Ms. Agnieszka Pukniel joined CAD as a Copyright Acquisitions Technician. Ms. Tamyra

Anderson, Ms. Amna Aslam, Mr. James Barnes, Mr. Omar Joyce, Ms. Celeste Killens, Ms. Gabrielle Oliver, and Ms. Jewel Washington joined CAD as interns to assist in the review of edeposit files.

**Resignations:** Ms. Tamyra Anderson, Ms. Gabrielle Oliver, and Ms. Jewel Washington completed their internship.

**Transfers:** Ms. Terrawn Rogers transferred to CAD as an eDeposit Technician. Ms. Kimberly Gunter transferred to a position in the Copyright Technology Office. Ms. Dawn Rapoza transferred to a position in the US/Anglo Division of the Acquisitions and Bibliographic Access Directorate of Library Services.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2017.

The following additional training was completed by various division staff members:

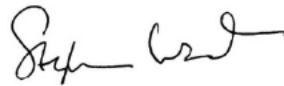
- Performance Management for Employees
- Ethics and Standards of Conduct
- Sexual harassment Prevention for Federal Employees
- Records Management Basic Awareness 3.0
- Structured Interview Training
- Customer Service over the Phone
- LOC Telework Basics for Supervisors
- LOC Telework Basics for Employees
- Applying Basic Data Formatting in Excel 2010
- Emotional Intelligence: Applying EI at Work
- Leadership Advantage Test Yourself: Strategic Thinking
- Getting Started with Excel 2010
- Time Management: Planning and Prioritizing Your Time
- HeartSaver CPR AED
- Knowing When to Take Leadership Roles
- Leadership Advantage: Strategic Thinking
- Identifying Project Risks (PMBOK Guide Fifth Edition)
- Business Grammar: Common Usage Errors
- Public Speaking Strategies: Confident Public Speaking
- The Internet, Social Media, and Electronic Communication
- Effective Team Communication

## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers:

- Africa World Press
- Agate Publishing
- American Bar Association
- Archaia Entertainment
- Beaufort Books
- Bradt Travel Guides
- Cambria Press
- Cambridge University Press
- Cameron & Company
- Chelsea Editions
- Compass Records
- Counterpath
- Dover Books
- Elsevier
- Emeth Press
- Gingko Press
- Greenwood Books
- Himalayan Academy
- Hindawi Publishing Corporation
- Overlook Press
- Pluto Press
- Posi-Tone Records
- Press 53
- Signature Sounds
- Sugar Hill Records
- Twelve/Hachette Book Group
- Ulysses Press
- University of Louisiana at Lafayette Press
- University of Missouri Press
- Wiley-Blackwell
- Yen Press/Hachette Book Group

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2018



**Stephen Evans**  
**Chief, Copyright Acquisitions Division**  
**October 24, 2018.**

**COPYRIGHT ACQUISITIONS DIVISION  
FY2018 ANNUAL REPORT****Date: October 24, 2018****Executive Summary**

Fiscal year 2018 saw a major expansion of the Copyright Acquisition Division's receipt of electronic deposits through strategic implementation of Section 407 regulations. Specifically, the e-serials project crossed an important threshold as these deposits ensured that for the first time ever the Library of Congress is now receiving more e-serial content through copyright deposits than print serial content, where the Library checked in 95,717 e-serial issues during FY2018 alongside 73,444 print serial issues.

Leveraging Special Relief agreements with publishers was key to this e-deposit expansion, as well as the very desirable outcome for the Library of securing patron access to the content through publisher online platforms. Walter de Gruyter, Springer Nature and Emerald Publishing deposited greater volumes of serial and e-book content due to ongoing agreements, and a new agreement executed in FY2018 with Taylor & Francis enabled deposits from and access to one of the largest global academic publishing catalogs available. In total, CAD received for deposits for 7,179 e-serial titles in FY2018, up from 3,429 in the previous year, and 86,282 e-books to add to the 35,481 e-books acquired beforehand. The access value for the Library to this e-serial and e-book content from publisher platforms was in excess of \$60 million.

Expansion of electronic deposits has been accompanied by a slight decline in traditional hard copy deposits under Section 407 for formats such as books (FY2018—65,779 pieces acquired vs. FY2017—77,177 pieces), but targeted efforts by CAD's Acquisition Team ensured growth in map deposits (FY2018—744 pieces acquired vs. FY2017—99 pieces), demonstrating that liaison with Library Divisions to identify specific content desirable for Library collections, and application of CAD resources, can achieve substantial impact.

Overall, however, CAD fulfilled its Annual Performance Goals by increasing deposit and access value transferred to the Library of Congress by 128% over FY2017 (target: 5%), and issued 55 separate demands as an outcome of 41 publisher compliance reviews (target: 16 reviews) to strengthen the Section 407 acquisitions stream.

**PART I: *Mission Effectiveness: Acquire Works for Library of Congress Collections*****Summary of Mandatory Deposits Transferred to LC in FY 2018:**

The Copyright Acquisitions Division (CAD) received a total of 401,623 pieces via mandatory deposit and 407 demands, with a total value of \$27,118,328 transferred to the Library. Of these deposits, the Acquisitions section received 13,850 pieces, with a value of \$1,866,359. The Technical Processing Unit recorded 19,814 pieces, transferring 19,396 pieces to the Library's collection, with a total value of \$1,575,696. Deposits not requiring individual records total 368,377 pieces, with a total value of \$23,676,273.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	65,779	\$5,532,938
CD/DVDs	521	\$24,740
Serials <sup>1</sup>	330,543	\$20,847,701
Microforms	3,722	\$558,300
Motion Pictures	2	\$27,728
Printed music	296	\$19,912
Maps	744	\$106,326
Prints, Posters, Photographs, Works of Art	16	\$683
<b>Total</b>	<b>401,623</b>	<b>\$27,118,328</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
Books	441,473	\$50,420,631
Serials	7,890	\$11,030,220
<b>Total</b>	<b>449,365</b>	<b>\$61,450,851</b>

### Acquiring Electronic Materials

CAD has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire serials available exclusively in digital format. Previously, online-only works were exempt from the mandatory deposit provision of the copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. In anticipation of expanded regulations for ebooks and eprints, CAD has continued working alongside Library Services and OCIO to develop requirements for these additional formats.

As the electronic serials project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. CAD has worked in concert with Library Services to review a publisher's entire catalog and demand all eligible titles. CAD has secured and maintained special relief agreements with Walter de Gruyter, Hindawi Publishing Corporation, Emerald Publishing Group, Intellect Journals, Law Bulletin Media, Optical Society of America, Springer Nature, and Taylor & Francis. These publishers provide Library patrons access to electronic material directly through their online services. The value of materials accessible through these publishers' sites is estimated at

<sup>1</sup> Approximately 70% of \$407 serials forwarded directly from RACD to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred.

\$61,450,851. In exchange, the publishers deposit electronic materials for all their serial content. These deposits are held in a dark archive until such a time as the publisher no longer provides access. Additional special relief agreements have been proposed and are under negotiation with Brill, Cambridge University Press, American Institute of Aeronautics and Astronautics (AIAA), Oxford University Press, and Sage Publishing.

The special relief agreements with Walter de Gruyter, Springer Nature, and Taylor and Francis also provide for deposit and access of electronic books in lieu of print deposit. By the end of fiscal 2018, CAD had received 121,763 ebooks, 86,282 of these ebooks were deposited in FY2018. Until a workflow has been developed, these ebooks are inventoried in CTS and stored on long-term storage.

CAD has been a significant element in the development of the technology behind the project, playing an active role in DMS development. This year, back end updates and better handling of system to system files for ingestion have been implemented.

This fiscal year, eDeposit has seen significant growth. CAD increased the number of titles demanded from 5,010 to 8,024 titles. Content has been received for 7,179 titles, up from 3,429. This fiscal year, 29 publishers have deposited electronic content for 6,230 titles. The expansion of the eSerial collection to date is illustrated in Table 3 below.

<b>Table 3</b>	<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>								
	FY11	FY12	FY 13	FY 14	FY 15	FY16	FY17	FY18	Total
<b>Titles Demanded</b>	98	89	47	691	1,162	2,541 <sup>2</sup>	482	2,914	<b>8,024</b>
<b>New Titles Received</b>	79	11	137	416	798	233	1,755	3,750	<b>7,179</b>
<b>New Publishers</b>	30	2	0	0	5	8	9	5	<b>59</b>
<b>Issues Received</b>	817	277	2,155	2,658	16,773	11,041	79,384	67,111	<b>175,318<sup>3</sup></b>
<b>Files Received</b>	86,107	8,942	71,148	150,845	1,677,053	1,118,633	20,948,907	28,519,122	<b>52,580,757</b>

<sup>2</sup> 55 Walter de Gruyter titles were purged in July, 2016. They had never been deposited and are no longer in print.

<sup>3</sup> Issues and files received total reflects the number after discards and/or duplicate receipts. All issues received were transferred to LC.

## Productivity and Workload/Workflow

### Summary of CAD Acquisitions Activities

Table 4 below provides a summary of works acquired by CAD in response to demands for mandatory deposit. These figures do not include electronic materials.

**Table 4**

<b>Comparative Acquisitions Section Statistical Report FY 2018</b>			
	<b>FY18</b>	<b>FY17</b>	<b>% Change</b>
Titles Received	3,295	3,964	-16.88%
Pieces Received	13,850	14,050	-1.42%
Value of Works Received	\$1,866,360	\$1,132,148	64.85%
Registration Fees	\$9,605	\$6,375	50.67%
Recommendations Received	5,907	2,036	190.13%
Titles Demanded	7,714	4,144	86.15%
Follow-up Actions	2,144	808	165.35%

The division started this fiscal year with 27 LC recommendations on hand, received an additional 5,907 LC recommendations throughout the year and ended the year with 56 items on hand.

**Comprehensive Publisher Reviews:** The Division's four acquisitions specialists reviewed 60 publishers, 34 of which were brought into compliance. A list of publisher reviews conducted this year can be found in Attachment 1.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers:

- **Kappa Publishing:** Publisher may deposit one copy of each map. For large scale maps, they may send deposit in PDF format.
- **Law Bulletin Media:** Publisher will provide access to Chicago Law Daily Bulletin and Chicago Lawyer. Publisher will also send electronic file in lieu of print.
- **Springer Nature:** a special relief agreement was signed with Springer allowing for access to their serials and books. In exchange, Springer does not need to submit physical deposit of print material, though they will deposit electronic copies of their books and journals.



- **Taylor and Francis:** a special relief agreement was signed with Taylor and Francis allowing for electronic deposit of books in lieu of print deposit for copyright deposit. Taylor and Francis will send a delivery stream for 407 deposit separate from any 408 deposits made for registration purposes. Taylor and Francis will provide access to their book content through their website.
- **Watch Tower Tract and Bible Society of Pennsylvania:** Publisher will send electronic files for back issues. Current issues will be received in print.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 40 deposits on hand. The staff created 19,814 records for a variety of library materials received through mandatory deposit. The unit ended the year with 500 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, the unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 50,386 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 1,609 back issues of various research and scientific journals. The subscription value savings to the Library was \$3,882. Additionally, 5 new SE/Group subscriptions were added to the Library's collection, with an estimated savings of approximately \$34,410.

**Serials Discard Project:** CAD sends discard letters to depositing publishers of serials the Library does not collect. This saves the Library the expense of processing discarded content, while also saving the publisher the cost of depositing content not retained in the Library's collection. This fiscal year, CAD issued 79 discard letters.

## **PART II: Program Management**

### **Publisher Outreach**

**American Institute of Aeronautics and Astronautics (AIAA):** Stephen Want and Karen Van Gilder spoke with a representative from AIAA about special relief for their content. The publisher is considering the proposal.

**Brill Publishers:** Following an enquiry from Keri Price in ABA's US Anglo Division about serial deposits from Brill Publishers, Stephen Want extended an offer of special relief to Brill encompassing both their serial and book publications. Discussions will resume in the next fiscal year.

**Cambridge University Press:** CAD sent a demand for print serials that had not been deposited by Cambridge. Cambridge has sent proposed changes to the special relief agreement, which are being considered by the Library. CAD and Library Services are also reviewing an updated list of Cambridge serials to be included in the agreement.

**Elsevier:** Stephen Want joined Joe Puccio and Mark Sweeney from the Library in meeting with two representatives from Elsevier June 6<sup>th</sup> 2018 to discuss with them the deposit of a list of serial titles published in electronic format only. Portico and CAD discussed technical requirements for e-serial delivery. CAD is awaiting Elsevier's response as to whether Portico will deliver these e-serials on their behalf.

**Law Bulletin Media:** A special relief agreement was signed. Law Bulletin Media has delivered electronic issues of *Chicago Daily Law Bulletin* and *Chicago Lawyer* and is providing on-site access to those titles.

**Oxford University Press:** CAD is working with OUP to ensure all the previously demanded content has been deposited. CAD also sent an updated list of e-only serial content that should be deposited. OUP is also considering a special relief agreement.

**Sage Publishing:** Sage is delivering e-only serial content demanded in the previous fiscal year. CAD

is still working with Sage to ensure all the archival issues have been received. Limited discussions have taken place about special relief for Sage serials, but no agreement has been reached.

**Springer Nature:** A special relief agreement was signed with Springer Nature, allowing for access to serial and book content on SpringerLink. Springer will also deposit electronic serial and book content in lieu of print.

**Taylor & Francis:** Taylor & Francis began depositing journal titles in fulfillment of their special relief agreement. An additional agreement to include books was signed this fiscal year. Taylor and Francis will deliver ebooks in lieu of print. They also provide access to their book and serial content on their site.

### **Outreach within the Library**

**Cross-Service Unit working groups:** Representation from CAD meets with many different groups on a regular basis. These groups include the Acquisitions Advisory Group, Acquisitions and Bibliographic Management Team (ABAMT), Collection Policy Committee (CPC), Collection Development Roundtable, Digital Audio Working Group, Digital Content Advisory Group (DCAG), eBook Working Group, eBook Policy Group, eCollections Steering Group, eDeposit Operations, ePrint Working Group, Internal Content Transfer Group (CTS users), LS Chiefs, Next-Gen ILS Working Group, RFA Automation Working Group, and Serials Control Advisory Board.

**Acquiring Film through mandatory deposit:** Ms. Eileen Lowry and Ms. Agnieszka Pukniel met with representatives from MBRS and Copyright Registration to get a better understanding of issues faced by publishers in depositing moving image content to the Library and the role CAD may play in acquiring these works.

**Copyright Office Orientation:** Ms. Daria Proud and Mr. Stephen Want provided briefings and tours of CAD to various visiting groups.

**Directional Planning for the Copyright Office:** Stephen Want has participated in directional planning for the Copyright Office strategic plan. Dayna Cooper, Aaron Platte, and Karen VanGilder participated in group sessions to define SWOTs for the office.

**Geography and Maps Division:** Stephen Want, Daria Proud, and Eileen Lowry met with Paulette Hasier and Robert Morris in the Geography & Maps Division to discuss the prospect of acquiring books and maps for the collection through the enforcement of the mandatory deposit provision of the

copyright law. Michael Lind and Aaron Platte later met with Robert Morris to further discuss possible map demands for the division.

**Increasing RFA submissions:** Stephen Want and Daria Proud continued an initiative to remind selected Library Divisions that acquisitions through mandatory deposit could replace purchasing materials, including from foreign publishers in scope for demand, to refresh their understanding of the mandatory deposit RFA workflow, and schedule training, as needed, in use of the Copyright Metasearch tool to research prospective title demands, all aimed at increasing the submission of RFAs to CAD.

**LC Envisioning 2025:** Stephen Want represented the Copyright Acquisitions Division and the US Copyright Office as part of the Library of Congress Envisioning 2025 project, working on the Content Repository team. As part of the team, he advanced copyright and eDeposit priorities within that team's discussions. He subsequently began representing USCO on Library Strategic Planning Design sessions intended to implement the outcomes of Envisioning 2025. .

**RO Basic Training:** At the request of the Collections Development Office, Ms. Daria Proud presented at both RO training sessions in January. She provided an overview of mandatory deposit and how to work with CAD to acquire materials for the Library, and responded to questions afterward.

**Outreach with external partners:**

**ALA:** Lauren Fasceski, Eileen Lowry, and Stephen Want attended the ALA Annual Conference, June 22-24, in New Orleans. While there, they spoke with various publishers about mandatory deposit. They were also able to establish and verify contacts with these publishers.

**Bowkers:** CAD staff joined representatives from CIP in two meetings with representatives from Bowkers to discuss the use of ONIX metadata for books.

**Korean Law Student delegation:** Stephen Want briefed a visiting delegation of Korean Law students on mandatory deposit and CAD activities.

**JATS-CON:** Stephen Want and Karen Van Gilder attended the JATS-CON conference at the NIH campus, where they were able to meet with publishers and third party depositors to discuss deposit of electronic serials.

**Personnel Management**

## CAD Staff

Staff Member	Role
Stephen Want	Division Chief
Daria Proud	Assistant Chief
James Barnes	Support Assistant
Sandra Barnes	Acquisitions Technician
Felicia Chau	Serials Technician
Angela Coles	Acquisitions Technician
Dayna Cooper	Program Specialist
Lauren Fasceski	Acquisitions Specialist
LaTashae Fletcher	Acquisitions Technician
D'Andrea Hamn	Acquisitions Program Specialist
Jamaal Johnson	Technical Processing Unit Technician
Charles Lane	Technical Processing Unit Supervisor
Michael Lind	Acquisitions Specialist
Eileen Lowry	Acquisitions Specialist
Shawn Pearson	Serials Technician
Aaron Platte	Acquisitions Specialist
Agnieszka Pukniel	Acquisitions Technician
Edgar Raines	Technical Processing Unit Technician
Terrawn Rogers	eDeposit Technician
Karen Van Gilder	eDeposit Team Lead
Taurica Wallace	Acquisitions Technician

Awards: (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**New Hires:** Mr. James Barnes joined CAD as a NTE Support Assistant. Mr Aaron Platte joined CAD as a Copyright Acquisitions Specialist. Ms. Nicolette Spriggs joined CAD as an intern to assist in the review of edeposit files.

**Resignations:** Ms. Amna Aslam, Mr. James Barnes, Mr. Omar Joyce, Ms. Celeste Killens, and Ms. Nicolette Spriggs completed their internship.

**Transfers:** Mr. Joseph Mroczyk-Kershaw transferred to a position in the Public Information Office.

**Details:** Ms. Michelle Campbell is on a detail with the Copyright Modernization Office. Mr. Jamaal Johnson completed a detail in the Receiving, Analysis, and Control Division. Mr. Joseph Mroczyk-Kershaw took part in a detail in the Public Information Office prior to his transfer. Ms Tiffany Senn is on a detail with the Office of Public Information and Education.

**ABA staff detail:** Two ABA staff member, Mr. Albert Tyas and Mr. Raymond Watson participated in part time details in CAD. They have been assisting with edeposit file review.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2018 and Records Management Basic Awareness 2018.

The following additional training was completed by various division staff members:

- ADR and Conflict Resolution for Supervisors/Managers
- Business Writing: Know Your Readers and Your Purpose
- Choosing to Lead as a Woman
- Clarity and Conciseness in Business Writing
- Effective Team Communication
- Emotional Intelligence: Being Aware of the Emotions of Others
- Excel 2016 – Part 1
- Excel 2016 – Part 2
- Excel 2016 – Part 3
- Getting Results Without Direct Authority: persuasive Communication
- Global Leadership Summit 2018
- Group Facilitation
- Introduction to Project Management (PMBOK Guide fifth Edition)
- LC Emergency Preparedness
- Leadership Essentials: Leading Business Execution
- Leading at the Speed of Trust
- Leading Teams: Establishing Goals, Roles, and Guidelines
- LOC Telework Basics for Employees
- LOC Telework Basics for Supervisors
- Managing Change: Understanding Change
- Moving and Getting Around in Excel 2010

- Moving Data and Modifying worksheets in Excel 2010
- Performance Management for Employees
- Personal Productivity: Self-organization and Overcoming Procrastination
- Problem Solving: Process, Tools, and Techniques
- Sexual Harassment Prevention for Federal Employees
- Structured Interview Training
- The Internet, Social Media, and Electronic Communication

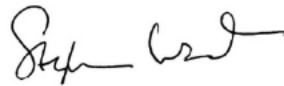
## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers:

- Abbeville Press
- Abingdon Press
- Africa World Press
- Agate Publishing
- Agora Press
- American Chemical Society
- Annick Press
- Antarctic Press
- Association for Asian Studies, Inc.
- Assouline
- Beaufort Books
- Belt Publishing
- Benchmark Maps
- Bucknell University Press
- Cambridge University Press
- Cambridge University Press (eserials)
- Cameron & Company
- Cato Press
- Cherry Bombe
- Compass Records
- Counterpath
- Curbside Splendor Publishing
- Darling Magazine
- Dover
- Drawn and Quarterly
- Elsevier (eserials)
- Emerald
- Emeth Press
- Enchanted Lion
- Europa Editions
- Figueroa Press
- Gorgias Press
- Harper Perennial
- Hindawi Publishing Corporation (eserials)
- Hippocrene Books
- In Circle Records
- Jessica Kingsley
- Kappa Map Group
- Masonry Society
- Mayapple Press
- McSweeney's
- New South Books
- New York University Press
- ORO Editions
- Press 53
- Primary Research Group
- Rosen Publishing
- Sage Publications
- Skyhorse Publishing
- Spuyten Duyvil
- Sugar Hill Records
- Tachyon Publications
- Taproot Magazine
- Twelve/Hachette Book Group
- Valencourt
- Victory Belt Publishing
- VIZ Media
- Weinstein Company
- Wiley Blackwell Press
- Yen Press/Hachette Book Group



# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2019



**Stephen Evans**  
**Chief, Copyright Acquisitions Division**  
**October 22, 2019**

**COPYRIGHT ACQUISITIONS DIVISION  
FY2019 ANNUAL REPORT**

**Date: October 22, 2019**

**Executive Summary**

Fiscal year 2019 saw a continuing expansion of the Copyright Acquisition Division's receipt of electronic deposits through strategic implementation of Section 407 regulations. Highlights included an increase in the number of serial issues and related files deposited as CAD secured and ramped up special relief relationships with Springer Nature, Taylor & Francis and Cambridge University Press (FY2018: 67,285 issues & 28,522,522 files deposited; FY2019: 97,735 issues [45% increase] & 36,911,068 files [29% increase] deposited). Additionally, the total amount of voluntary e-book deposits from special relief publishers increased by 102% in FY2019 (124,456 e-book deposits received, for a program total of 246,219 e-books).

Consequently, this substantial expansion of e-book deposits meant that the overall value of deposits transferred by CAD to Library of Congress collections increased from \$27,118,328 in FY2018 to \$40,432,004 in FY2019 (49% increase). CAD's special relief relationships also secured an increase in the access value provided to Library of Congress patrons by publishers to their online e-serial and e-book services, up from \$61.5M in FY 2018 to \$69.8M in FY2019 (14% increase).

The expansion of CAD's e-deposit program looks set to continue with the development and coordination in FY2019 of the technical and legal means to acquire newspaper e-print deposits in response to a request from the Senate Rules Committee via the News Media Alliance.

**PART I: Mission Effectiveness: Acquire Works for Library of Congress Collections**

**Summary of Mandatory Deposits Transferred to LC in FY 2019:**

The Copyright Acquisitions Division (CAD) received a total of 495,756 pieces via mandatory deposit and 407 demands, with a total value of \$40,432,004 transferred to the Library. Of these deposits, the Acquisitions section received 11,902 pieces, with a value of \$835,624. The Technical Processing Unit recorded 27,447 pieces, transferring 28,537 pieces to the Library's collection, with a total value of \$2,170,437. Deposits not requiring individual records totaled 455,317 pieces, with a total value of \$37,425,943.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books	173,611	\$15,465,027
CD/DVDs	940	\$145,246
Serials <sup>1</sup>	319,039	\$24,448,769
Microforms	1,628	\$244,200

<sup>1</sup> Approximately 70% of \$407 serials forwarded directly from RACD to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred.

Motion Pictures	27	\$72,000
Printed music	473	\$33,730
Maps	32	\$22,761
Prints, Posters, Photographs, Works of Art	6	\$272
<b>Total</b>	<b>495,756</b>	<b>\$40,432,004</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
Books	508,560	\$55,326,242
Serials	9,046	\$14,553,205
<b>Total</b>	<b>517,606</b>	<b>\$69,879,447</b>

### **Contribution toward Library Annual Performance Goal (APG)**

CAD was responsible for a USCO APG during this fiscal year, supporting the Library of Congress Digital Plan through copyright mandatory deposit by demanding electronic serial titles selected by the Collection Development Office. CAD surpassed the goal of sending at least ten demands for electronic serial titles from a list provided by the Collection Development Office. In FY2019 CAD sent demands to 16 publishers of electronic serial content.

### **Acquiring Electronic Materials**

CAD has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire serials available exclusively in digital format. Previously, online-only works were exempt from the mandatory deposit provision of the copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. In anticipation of expanded regulations for e-books and e-prints, CAD has continued working alongside Library Services and OCIO to develop requirements for acquiring these additional formats.

As the electronic serials project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. CAD has worked in concert with Library Services to review publisher catalogs and demand all eligible titles. As of end FY2019 CAD has secured and maintained special relief agreements with the American Institute of Aeronautics and Astronautics (AIAA), Brill,

Cambridge University Press, Emerald Publishing Group, Hindawi Publishing Corporation, Intellect Journals, Law Bulletin Media, Optical Society of America, Springer Nature, Taylor & Francis, and Walter de Gruyter. These publishers provide Library patrons access to electronic material directly through their online services. The value of materials accessible through these publishers' sites is estimated at \$69,879,447. In exchange, the publishers deposit electronic materials for all their serial content. Four of these publishers are also depositing and providing access to e-book content. These deposits are held in a dark archive until such a time as the publisher no longer provides access. Additional special relief agreements have been proposed to Oxford University Press, and Sage Publishing.

The special relief agreements with Brill, Walter de Gruyter, Springer Nature, and Taylor and Francis also provide for deposit and access of electronic books in lieu of print deposit. By the end of fiscal 2019, CAD had received 246,219 e-books, with 119,421 of these e-books being deposited in FY2019. Until a workflow is developed, these e-books are inventoried in CTS and secured in long-term storage.

During FY2019 CAD has worked with the Newspaper e-Prints working group to develop methods for publishers to deposit e-print copies of their newspaper titles. A special relief agreement template and technical specifications for e-print deposit were developed. CAD is anticipating the first special relief agreement for e-prints to be implemented in FY2020.

CAD has been a significant element in the development of the technology behind the project, playing an active role in DMS development requirements. This year, back end updates and better handling of system to system files for ingestion have been implemented. CAD has also worked with OCIO and DCMS toward a workflow to inventory and record e-books that have been received through mandatory deposit.

This fiscal year, eDeposit has seen significant growth. CAD increased the number of serial titles demanded from 8,024 to 9,541 titles. Content has been received for 9,056 serial titles, up from 7,179. This fiscal year, 32 publishers have deposited electronic content for 8,123 serial titles. The expansion of the e-serial collection to date is illustrated in Table 3 below.

**Table 3**

<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>							
	FY11- FY14	FY 15	FY16	FY17	FY18	FY19	Total
<b>Titles Demanded</b>	925	1,162	2,541 <sup>2</sup>	482	2,914	1,517	9,541
<b>New Titles Received</b>	643	798	233	1,755	3,750	1,877	9,056
<b>New Publishers</b>	32	5	8	9	5	11	70
<b>Issues Received</b>	5,907	16,769	11,041	78,883	67,285	97,735	267,828 <sup>3</sup>
<b>Files Received</b>	317,042	1,677,053	1,118,633	20,975,443	28,522,522	36,911,068	89,401,050

## Productivity and Workload/Workflow

### Summary of CAD Acquisitions Activities

Table 4 below provides a summary of works acquired by CAD in response to demands for mandatory deposit. These figures do not include electronic materials.

**Table 4**

<b>Comparative Acquisitions Section Statistical Report FY 2018</b>			
	<b>FY19</b>	<b>FY18</b>	<b>% Change</b>
Titles Received	4,929	3,295	49.59%
Pieces Received	11,902	13,850	-14.06%
Value of Works Received	\$835,624	\$1,866,360	-55.23%
Registration Fees	\$12,705	\$9,605	32.27%
Recommendations Received	3,179	5,907	-46.18%
Titles Demanded	5,102	7,714	-33.86%
Follow-up Actions	1,870	2,144	-12.78%

The division started this fiscal year with 56 LC recommendations on hand, received an additional 3,179 LC recommendations throughout the year and ended the year with 22 items on hand.

<sup>2</sup> 55 Walter de Gruyter titles were purged in July, 2016. They had never been deposited and are no longer in print.

<sup>3</sup> Issues and files received total reflects the number after discards and/or duplicate receipts. All issues received were transferred to LC.

**Comprehensive Publisher Reviews:** The Division's five acquisitions specialists reviewed 52 publishers, 34 of which were brought into compliance. A list of publisher reviews conducted this year can be found in Attachment 1.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers:

- **Algora Publishing:** Publisher may deposit their books as e-books.
- **American Institute for Aeronautics & Astronautics (AIAA):** Publisher will deposit electronic files for serials, proceedings, and standards in lieu of print deposit. This agreement specifically excludes *Aerospace America*, policy papers and books.
- **Assouline Publishing:** Publisher is excused from print deposit for the limited series: Ultimate Collection and Legends Collection. They will deposit e-books for these series.
- **Brill Publishing:** Publisher will deposit electronic files for serial and book publications in lieu of print. Publisher will also provide on-site access to this content via their website.
- **Cambridge University Press:** Publisher will deposit electronic files for serials in lieu of print deposit. Publisher will also provide on-site access to serial content via their website.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 500 deposits on hand. The staff created 27,447 records for a variety of library materials received through mandatory deposit. The unit ended the year with 100 items on hand. The unit has remained current throughout the year. In addition to making records of deposits received in the unit, the unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 43,482 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two

complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 372 back issues of various research and scientific journals. The subscription value savings to the Library was \$41,142. Additionally, 4 new SE/Group subscriptions were added to the Library's collection, with an estimated saving of approximately \$3,936.

**Serials Discard Project:** CAD sends discard letters to depositing publishers of serials the Library does not collect. This saves the Library the expense of processing discarded content, while also saving the publisher the cost of depositing content not retained in the Library's collection. This fiscal year, CAD issued 58 discard letters.

## **PART II: Program Management**

### **Publisher Outreach**

**American Institute of Aeronautics and Astronautics (AIAA):** Stephen Want and Karen Van Gilder spoke with a representative from AIAA about special relief for their content. A special relief agreement was signed. LC now has access to journals, proceedings, and standards hosted on the AIAA site. AIAA has also begun delivering deposit copies of this content.

**Brill Publishers:** Following an enquiry from Keri Price in ABA's US Anglo Division about serial deposits from Brill Publishers, Stephen Want extended an offer of Special Relief to Brill encompassing both their serial and eBook publications. He met with Jasmin Lange and Sylvia Bonadio from Brill during their visit to the Library of Congress on April 12<sup>th</sup> to confirm Brill's interest in special relief and electronic deposit. Brill signed a special relief agreement for electronic book and serial deposit in the 4<sup>th</sup> quarter. On-site access was made available to Library patrons. Test and regular deposits will begin in the new fiscal year.

**Cambridge University Press:** Cambridge signed a special relief agreement to begin electronic deposit of serials in lieu of print deposit. Cambridge provides access to their serials content via their online platform. CAD later worked with Cambridge University Press to coordinate changes in their regular e-serial deliveries after undergoing a platform change.

**Elsevier:** CAD has been in discussions with Portico about technical requirements for e-serials delivery on behalf of Elsevier. Portico has relayed costs associated with meeting LCs technical requirements for delivery of Elsevier e-serial content. Both CAD and Portico await Elsevier's response to this proposal.

**McClatchy:** McClatchy Newspapers reached out to CAD for additional information about special relief from microfilm deposit of newspapers. CAD has been in discussions with them toward a special relief agreement and e-print deposit of their newspaper content.

**Oxford University Press:** CAD comprehensively demanded OUP's e-only serial titles. A list of print and electronic titles was also sent to OUP for review toward a special relief agreement. OUP has delivered files. CAD is awaiting delivery of archival files for all the demanded titles. CAD subsequently sent a list of additional e-only titles. There may be a delay in submission of these missing issues, as the publisher is planning for a platform update. CAD is planning to conduct a publisher review to see if there are any gaps in their print deposits.



**SAGE Publishing:** Discussions took place with SAGE Publishing concerning their deposit of electronic serials. E-only titles were previously demanded from Sage and deposits have been received and checked for compliance. CAD is awaiting additional content to complete the archival deliveries. Discussions about special relief for serials and books began in the previous fiscal year, with details to be worked out in the upcoming months. Sage began depositing electronic serial content for their print serials in anticipation of a special relief agreement. In the last part of the fiscal year, Sage has not been communicative about moving forward with a special relief agreement, though electronic deposits continue to be sent to the Library.

**SourceMedia:** Stephen Want, Karen Van Gilder and Eileen Lowry discussed mandatory deposit of SourceMedia serial titles with the publisher, and a Special Relief arrangement was proposed to them. SourceMedia submitted some sample deposits which were reviewed for compatibility with the Library ingest system. After consideration, CAD and the Library decided to continue with print deposit of SourceMedia content.

### **Outreach within the Library**

**Cross-Service Unit working groups:** Representatives from CAD meet with many different groups on a regular basis. These groups include Acquisitions Advisory Group, Acquisitions and Bibliographic Access Management Team (ABAMT), Collection Policy Committee (CPC), Digital Access Working Group, eBook Policy Group, eBook Working Group, eDeposit Operations, e-prints Working Group, LS Chiefs, Next-Gen ILS Working Group, Internal Content Transfer/Repository Users, Platform Services Operations group, RFA Automation Working Group, Serials Acquisitions Group, Serials Control Advisory Board, Special Relief e-books Pilot, eCollections Steering Group, Improving Access to Electronic Resources across the Legislative Branch, and USCO Public Records group.

**Copyright Office Orientation:** Ms. Daria Proud and Mr. Stephen Want provided briefings and tours of CAD to various visiting groups.

**History and Genealogy Section:** In response to a general inquiry, Daria Proud provided information about how to work with CAD. Eileen Lowry and Aaron Platte later met with HGS Reading Room staff to discuss specific publishers and titles of genealogical materials wanted for the collection. The RO will submit RFAs to request materials.

**Increasing RFA submissions:** Stephen Want and Daria Proud continued an initiative to remind

selected Library Divisions that acquisitions through mandatory deposit could replace purchasing materials, including from foreign publishers in scope for demand, to refresh their understanding of the mandatory deposit RFA workflow, and schedule training, as needed, in use of the Copyright Metasearch tool to research prospective title demands, all aimed at increasing the submission of RFAs to CAD.

**Outreach with external partners:**

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED].

Karen Van Gilder joined Ted Westervelt and Liz Madden on a call with Stephanie Orphan from Portico and later with Open Journal Systems (OJS) to learn more about OJS plugins for content published using OJS platform.

Karen Van Gilder, Lauren Fasceski, Taurica Wallace and Stephen Want took part in two Library of Congress Open House events during the American Library Association's Annual Conference held in Washington, DC, on June 22<sup>nd</sup> and June 24<sup>th</sup>, presenting on CAD activities and the copyright e-deposit program.

Angela Coles, Lauren Fasceski, Shawn Pearson, Karen Van Gilder, and Taurica Wallace volunteered to help at the National Book Festival on August 31.

Karen Van Gilder attended the Storage Architecture meetings at the Library on September 9-10. While there, she provided information about the deposit of newspaper e-prints in response to a question during one of the question sessions.

Lauren Fasceski attended the Small Press Expo September 14. At the Expo, Lauren met with publishers to let them know about copyright deposit and registration.

**Personnel Management****CAD Staff**

Staff Member	Role
Stephen Want	Division Chief
Daria Proud	Assistant Chief
James Barnes	Support Assistant
Sandra Barnes	Acquisitions Technician
Angela Coles	Serials Specialist
Lauren Fasceski	Acquisitions Specialist
LaTashae Fletcher	Acquisitions Technician
Terri Goff	Support Assistant
D'Andrea Hamn	Acquisitions Program Specialist
Jamaal Johnson	Technical Processing Unit Technician
Charles Lane	Technical Processing Unit Supervisor
Krystle LeBron	Support Assistant
Michael Lind	Acquisitions Specialist
Eileen Lowry	Acquisitions Specialist
Tyrell Lyles	Technical Processing Unit Technician
Tarsha Moon	Administrative Assistant to the Chief
Shawn Pearson	Serials Technician
Aaron Platte	Acquisitions Specialist
Agnieszka Pukniel	Acquisitions Technician
Edgar Raines	Technical Processing Unit Technician
Terrawn Rogers	eDeposit Technician
Rebecca Tanen	Acquisitions Specialist
Karen Van Gilder	eDeposit Team Lead
Taurica Wallace	Acquisitions Technician

**Awards:** (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

**New Hires:** Ms. Terri Goff joined CAD as a NTE Support Assistant, Ms. Krystle Lebron joined CAD as a NTE Support Assistant, Mr. Tyrell Lyles joined CAD as a Deposit Technician, Ms. Tarsha Moon joined CAD as an Administrative Assistant, and Ms. Rebecca Tanen joined CAD as an Acquisitions Specialist,

**Promotions:** Ms. Angela Coles moved from an Acquisitions Technician position to a Serials Specialist position.

**Resignations:** Ms. Dayna Cooper resigned from the Program Specialist position in CAD.

**Transfers:** Ms. Michelle Campbell transferred to a position in the Copyright Modernization Office. Ms. Tiffany Senn transferred to a position in the Office of Public Information and Education.

**Details:** Ms. Michelle Campbell was on a detail with the Copyright Modernization Office prior to her transfer to that office. Ms. Angela Coles completed a detail with the Copyright Modernization Office. Ms. Tiffany Senn was on a detail with the Office of Public Information and Education prior to her transfer to that office. Ms. Taurica Wallace was on a detail with the Public Information Office.

**ABA staff detail:** Two ABA staff members, Mr. Albert Tyas and Mr. Raymond Watson participated in part time details in CAD. They assisted with e-deposit file review.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training for IT Security Awareness 2019 and Records Management Basic Awareness 2019.

The following additional training was completed by various division staff members:

- Business Process Management for Leaders
- CAD SE-Group training
- Copyright in the Real World
- Copyright Open House
- Disrupting Everyday Bias / Addressing Micro behaviors
- Eventbrite training session
- Giving and Receiving Feedback
- HeartSaver CPR/AED Training
- HyperSnap 7: Basic

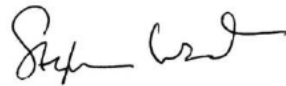
- ILS Acquisitions for Staff with Read-Only Access
- ILS Searching for Serials
- ILS Serials Check-In
- ILS Serials Holdings & Item Records: MARC Format & Editing
- Introduction to Intellectual Property
- LOC Supervisor and Manager Forum 2019 #February
- ILS Searching for Bibliographic Control Staff
- Macro Express 3: Basic
- MARC for Non Catalogers
- Music Division Tour
- Reference Forum: Special Collections
- Retirement Benefits Seminar
- Scrum Alliance Product Owner Training
- SDP Effective Coaching and Mentoring Training: A training Class 8A
- Serials & Gov't Pubs Orientation
- U.S. Copyright Office New Employee Orientation (Part 1)
- U.S. Copyright Office New Employee Orientation (Part 2)
- USA Performance Supervisor Training

## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers:

- Abbeville Press
- Akashic Books
- Agora Press
- Annick Press
- Antarctic Press
- Assouline
- Black Rose Writing
- Cambridge University Press
- Cleis Press
- Crooked Lane Books
- Curbside Splendor Publishing
- Daylight Books
- Design Studio Press
- Dover
- Drawn and Quarterly
- Emerald
- Figueroa Press
- Gorgias Press
- Gulf Energy Information
- Harper Perennial
- Heritage Books
- Hindawi Publishing Corporation
- International Association of Privacy Professionals
- Islandport Press
- Jacobs Brown Media Group, LLC
- Mayapple Press
- Merriam Press
- New York University Press
- Nortia Press
- Orison Books
- ORO Editions
- Overcup Press
- Pace University Press
- Polity Press, distributed by Wiley
- Primary Research Group
- Riverrun Publishing
- Rizzoli
- Rosen Publishing
- Skyhorse Publishing
- Spring House Press
- Spuyten Duyvil
- Texas Review Press
- The Conococheague Institute
- Valencourt
- Valiant Entertainment
- Vernon Press
- VIZ Media
- Walt Disney Company
- Watermark Publishing
- Wiley-Blackwell Press
- Yen Press/Hachette Book Group
- Zoho Music

# U.S. COPYRIGHT OFFICE COPYRIGHT ACQUISITIONS DIVISION ANNUAL REPORT FISCAL YEAR 2020



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**Stephen Want**  
**Chief, Copyright Acquisitions Division**  
**October 23, 2020**  
**Revised December 28, 2020**

**COPYRIGHT ACQUISITIONS DIVISION  
FY2020 ANNUAL REPORT****Date: October 23, 2020****Executive Summary**

For the Copyright Acquisitions Division Fiscal Year 2020 has been dominated by the workflow restrictions experienced during the COVID-19 pandemic. CAD was unable to process physical deposits from the Library of Congress shutdown on March 13<sup>th</sup> 2020 until in-office work began again for the Division during Phase 1.2 of the Return to Office work schedule on July 20<sup>th</sup> 2020. A temporary embargo on issuing demands to relieve publishers similarly affected by the pandemic also severely impacted CAD's acquisition of materials for Library collections in Q3 and Q4 of FY2020. Consequently statistics for FY2020 physical item deposit show marked decreases across the board, as well as a diminution of Library recommendations for acquisition.

More positively, CAD was able to maintain an effective e-deposit program throughout FY2020, including during the pandemic period. E-serial and, in particular, e-book acquisitions shored up the contributions CAD made to Library of Congress collections so that the FY2020 value of deposits came in just under the previous year's total (FY2020: \$39.99M vs. FY2019: \$40.43M). The access value that special relief relationships with major e-serial and e-book publishers provided for Library staff and patrons increased from \$69.87M in FY2019 to \$75.26M in FY2020. The year also saw CAD break through the 100 million files deposited threshold for e-serials since the beginning of the program in 2010, ending FY2020 on nearly 125 million files deposited.

Finally, FY2020 saw CAD initiate a newspaper e-print deposit workflow to expand its e-deposit program to include a new format, and by the end of the fiscal year had received 7,542 e-print issues from 20 newspaper titles.



**PART I: Mission Effectiveness: Acquire Works for Library of Congress Collections****Summary of Mandatory Deposits Transferred to LC in FY 2020:**

The Copyright Acquisitions Division (CAD) received a total of 451,921 pieces via mandatory deposit and 407 demands, with a total value of \$39,990,828 transferred to the Library. Of these deposits, the Acquisitions section received 4,260 pieces, with a value of \$125,635. The Technical Processing Unit created 14,863 records, transferring 19,503 pieces to the Library's collection, with a total value of \$1,458,373. Deposits not requiring individual records totaled 428,158 pieces, with a total value of \$38,406,820.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books <sup>1</sup>	263,674	\$27,087,342
CD/DVDs	356	\$8,900
Serials <sup>2</sup>	187,044	\$12,791,401
Microforms	373	\$75,986
Motion Pictures	0	\$0
Printed music	310	\$17,616
Maps	155	\$9,151
Prints, Posters, Photographs, Works of Art	9	\$432
<b>Total</b>	<b>451,921</b>	<b>\$39,990,828</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
e-books	535,429	\$61,365,518
e-journals	9,172	\$13,892,828
Newspaper e-prints	20	\$3,120
<b>Total</b>	<b>544,621</b>	<b>\$75,261,466</b>

**Contribution toward Library Annual Performance Goal (APG)**

CAD was responsible for a USCO APG during this fiscal year, supporting the Library of Congress Digital Plan through copyright mandatory deposit by demanding electronic serial titles selected by the Collection Development Office. CAD surpassed the goal of sending at least ten demands for electronic serial titles from a list provided by the Collection Development Office. In FY2020 CAD sent demands to

<sup>1</sup> Reflects a 50% discard rate for Springer e-books due to duplicate deposits.

<sup>2</sup> Approximately 70% of \$407 serials forwarded directly from RACD to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred.

14 publishers of electronic serial content.

### **Acquiring Electronic Materials**

CAD has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire serials available exclusively in digital format. Previously, online-only works were exempt from the mandatory deposit provision of the copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. In anticipation of expanded regulations for e-books and e-prints, CAD has continued working alongside Library Services and OCIO to develop requirements for acquiring these additional formats.

As the electronic serials project has evolved, the focus has been on how to bring more automation into the collection of these electronic materials. CAD has worked in concert with Library Services to review publisher catalogs and demand all eligible titles. As of end FY2020 CAD has secured and maintained special relief agreements with the American Institute of Aeronautics and Astronautics (AIAA), Anchorage Daily News, Brill, Cambridge University Press, Emerald Publishing Group, Hindawi Publishing Corporation, Intellect Journals, Law Bulletin Media, McClatchy, Optical Society of America, Springer Nature, Taylor & Francis, and Walter de Gruyter. These publishers provide Library patrons access to electronic material directly through their online services. The value of materials accessible through these publishers' sites is estimated at \$75,261,466. In exchange, the publishers deposit electronic materials for their serial content. Four of these publishers are also depositing and providing access to e-book content. Two of these publishers are depositing and providing access to newspaper e-print content. These deposits are held in a dark archive until such a time as the publisher no longer provides access. Additional special relief agreements have been proposed to Oxford University Press, Sage Publishing, and Wiley-Blackwell. Wiley has decided not to participate in a special relief program and will continue depositing print content. CAD is still awaiting decisions from Oxford University Press and Sage Publishing.

The special relief agreements with Brill, Walter de Gruyter, Springer Nature, and Taylor and Francis also provide for deposit and access of electronic books in lieu of print deposit. Standards from American Institute of Aeronautics and Astronautics (AIAA) are also deposited as part of this project. By the end of fiscal 2020, CAD had received 656,549 e-books, with 401,709<sup>3</sup> of these e-books being deposited in FY2020. Until a workflow is developed, these e-books are inventoried in CTS and secured in long-term storage.

CAD worked with the Newspaper e-Prints working group to develop methods for publishers to deposit e-print copies of their newspaper titles. A special relief agreement template and technical specifications for e-print deposit were developed. In FY20, Anchorage Daily News and McClatchy have signed special relief agreements and began depositing content. These publishers are also providing on-site access to their in-scope titles. At the end of FY20, 20 newspaper titles were coming in as a part of a special relief agreement.

CAD has been a significant element in the development of the technology behind the project, playing an active role in DMS development requirements. This year, back end updates and better handling of system to system files for ingestion have been implemented. CAD has also worked with OCIO and DCMS toward a workflow to inventory and record e-books that have been received through mandatory deposit. CAD provided a demo and documentation about how we use DMS for DLS2020 requirements. CAD also worked with OCIO as publisher liaison for testing and upgrading the esubmit delivery servers.

This fiscal year, eDeposit continued to grow. CAD increased the number of serial titles demanded from 9,541 to 10,127 titles. Content has been received for 9,615 serial titles, up from 9,056. This fiscal year, 40 publishers have deposited electronic content for 8,315 serial titles. The expansion of the e-serial collection to date is illustrated in Table 3 below.

<sup>3</sup> This figure reflects the estimated number of e-books received this year. For reporting purposes, transfer numbers will reflect a 50% discard rate of books received through the Springer feed due to duplicate deposits.

<b>Table 3</b>	<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>						
	FY11-FY15	FY16	FY17	FY18	FY19	FY20	Total
<b>Titles Demanded</b>	2,087	2,541 <sup>4</sup>	482	2,914	1,517	586	10,127
<b>New Titles Received</b>	1,441	233	1,755	3,750	1,877	559	9,615
<b>New Publishers</b>	37	8	9	5	11	11	81
<b>Issues Received</b>	22,454	11,074	78,920	69,365	98,599	55,818	320,155 <sup>5</sup>
<b>Files Received</b>	1,994,095	1,122,667	20,975,443	28,522,522	36,919,378	35,298,232	124,770,961

### Productivity and Workload/Workflow

#### Summary of CAD Acquisitions Activities

Table 4 below provides a summary of works acquired by CAD in response to demands for mandatory deposit. These figures do not include receipt of electronic materials.

**Table 4**

<b>Comparative Acquisitions Section Statistical Report FY 2020</b>			
	<b>FY20</b>	<b>FY19</b>	<b>% Change</b>
Titles Received	1,618	4,929	-67.17%
Pieces Received	4,260	11,902	-64.21%
Value of Works Received	\$125,636	\$835,624	-84.97%
Registration Fees	\$725	\$12,705	-94.29%
Recommendations Received	1,030	3,179	-67.60%
Titles Demanded	2,325	5,102	-54.43%
Follow-up Actions	1,036	1,870	-44.60%

The division started this fiscal year with 22 LC recommendations on hand, received an additional 1,030 LC recommendations throughout the year and ended the year with 4 items on hand.

**Comprehensive Publisher Reviews:** The Division's five acquisitions specialists reviewed 69

<sup>4</sup> 55 Walter de Gruyter titles were purged in July, 2016. They had never been deposited and are no longer in print.

<sup>5</sup> Duplicates that may have been received and counted in individual years are not included in this total count.

publishers, of which 6 were brought into compliance. Because of building closures during the pandemic, demands have not been issued for all of these reviews. A list of publisher reviews conducted this year can be found in Attachment 1.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers during FY2020:

- **Anchorage Daily News:** Publisher will deposit newspaper e-print issues in lieu of print and provide on-site access.
- **Insurance Communications:** Publisher will deposit missing back issues in electronic format. Continuing issues will be deposited in print.
- **McClatchy:** Publisher will deposit newspaper e-prints for 19 titles in lieu of print. They will also provide on-site access to these titles.
- **Optical Society of America:** Publisher amended a current special relief agreement. They will not deposit their print serial titles in electronic format. These titles will also be accessible on the publisher's website.
- **Rain and Thunder:** The publisher will deposit this title as an e-serial.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with 100 deposits on hand. The staff created 14,863 records for a variety of library materials received through mandatory deposit. The unit ended the year with 0 items on hand. In addition to making records of deposits received in the unit, the unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 21,421 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers,

thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 220 back issues of various research and scientific journals. The subscription value savings to the Library was \$5,491. Additionally, 3 new SE/Group subscriptions were added to the Library's collection, with an estimated saving of approximately \$1,395.

**Serials Discard Project:** CAD sends discard letters to depositing publishers of serials the Library does not collect. This saves the Library the expense of processing discarded content, while also saving the publisher the cost of depositing content not retained in the Library's collection. This fiscal year, CAD issued 222 discard letters.

## **PART II: Program Management**

### **Publisher Outreach**

**American Chemical Society:** CAD began conversations with American Chemical Society about a special relief agreement. They have been submitting all their serial titles for group registration, but they have stopped depositing print subscription issues.

**Anchorage Daily News:** Anchorage Daily News contacted CAD to ask about depositing e-print versions of their newspaper rather than microfilm. Special relief was granted and the publisher began making regular e-print deposits. They also provide on-site access to their newspaper content.

**Brill Publishers:** Brill signed a special relief agreement for electronic book and serial deposit in the 4<sup>th</sup> quarter of last year. Electronic serial deposit began this fiscal year. CAD, DCMS, and Brill are working out the technical details for e-book deposit.

**Elsevier:** CAD has been in discussions with Portico about technical requirements for e-serials delivery on behalf of Elsevier. Portico has relayed costs associated with meeting LCs technical requirements for delivery of Elsevier e-serial content. Both CAD and Portico await Elsevier's response to this proposal.

**McClatchy:** McClatchy Newspapers signed a special relief agreement for deposit and access of 19 of their newspaper titles. They have begun regular deposit of this content.

**Oxford University Press:** CAD comprehensively demanded OUP's e-only serial titles. A list of print

and electronic titles was also sent to OUP for review toward a special relief agreement. OUP has delivered files. CAD is awaiting delivery of archival files for all the demanded titles. CAD subsequently sent a list of additional e-only titles. There may be a delay in submission of these missing issues, as the publisher is planning for a platform update. CAD is conducting a publisher review to see if there are any gaps in their print deposits.

**Platts:** As a follow-up to a demand for electronic serials, CAD has set up check-in phone calls to work with Platts as they made updates needed to send the content to fulfill their demand. To date, they have begun deposit of content as it is published. Deposit of the back issues is pending.

**SAGE Publishing:** Discussions took place with SAGE Publishing concerning their deposit of electronic serials. E-only titles were previously demanded from Sage and deposits have been received and checked for compliance. CAD is awaiting additional content to complete the archival deliveries. Discussions about special relief for serials and books began in the previous fiscal year, with details to be worked out in the upcoming months. Sage began depositing electronic serial content for their print serials in anticipation of a special relief agreement. In the last part of the fiscal year, Sage has not been communicative about moving forward with a special relief agreement, though electronic deposits continue to be sent to the Library.

**Wiley-Blackwell:** After an inquiry from the third party who is handling much of the Wiley print serial deposit, CAD reached out to Wiley about the possibility of a special relief agreement for their serial and potentially their book deposits. They have decided against requesting special relief.

### **Outreach within the Library**

**ALawe and Brill special relief:** Several members of CAD staff met with staff from ALawe, CDO, and European Reading Room to discuss the details of the Brill special relief agreement and its implications on their acquisitions planning.

**BPR:** CAD participated in BPR planning sessions to sketch out current and future state workflows for CAD processes. The results of these sessions will be used in modernization planning for the Copyright Office.

**CDO training sessions:** Daria Proud presented at the November 19 and December 5 CDO training sessions for new ROs. Daria explained mandatory deposit and how to work with CAD to acquire materials for the LC collections. A total of 62 ROs attended the sessions.

**Cross-Service Unit working groups:** Representatives from CAD meet with many different groups on a regular basis. These groups include Acquisitions Advisory Group, Acquisitions and Bibliographic Access Management Team (ABAMT), Collection Policy Committee (CPC), Digital Access Working Group, eBook Policy Group, eBook Working Group, eDeposit Operations, e-prints Working Group, LS Chiefs, Next-Gen ILS Working Group, Internal Content Transfer/Repository Users, Platform Services Operations group, RFA Automation Working Group, Serials Acquisitions Group, Serials Control Advisory Board, Special Relief e-books Pilot, eCollections Steering Group, Copyright Voyager Public Briefing, Improving Access to Electronic Resources across the Legislative Branch, and USCO Public Records group.

**Copyright Office Orientation:** Ms. Daria Proud and Mr. Stephen Want provided briefings and tours of CAD to various visiting groups.

**History and Genealogy Section:** Eileen Lowry and Aaron Platte met with HGS Reading Room staff to discuss specific publishers and titles of genealogical materials wanted for the collection. Several of these works were found to have been received for copyright registration, but were not forwarded to the collection. CAD is working with DCSU to retrieve that content so it can be forwarded to the collection.

**Increasing RFA submissions:** Stephen Want and Daria Proud continued an initiative to remind selected Library Divisions that acquisitions through mandatory deposit could replace purchasing materials, including from foreign publishers in scope for demand, to refresh their understanding of the mandatory deposit RFA workflow, and schedule training, as needed, in use of the Copyright Metasearch tool to research prospective title demands, all aimed at increasing the submission of RFAs to CAD.

**Library Loan Division:** D'Andrea Hamn and Daria Proud met with Joseph Hamilton and Stephan Schulte from the Library's Loan Division to discuss practices for utilizing mandatory deposit to acquire missing serial issues and restart lapsed subscriptions to ensure that the material is available in the LC collections for loan to other libraries worldwide.

**Requirements gathering for future state CAD systems:** CAD began a series of meetings with the Copyright Modernization Office to gather requirement for the new Copyright Enterprise System (ECS). CAD also continued working with CMO to create user stories for the BI Launchpad system that is in development. CAD also met with members of the ILS Program Office to discuss plans for the Next Gen LSP. CAD is also taking part in the preparation work for eCO updates.



**Outreach with external partners:**

(b) (5)

Stephen Want and Karen Van Gilder joined Ted Westervelt and Liz Madden on a series of calls with Stephanie Orphan from Portico and later with Open Journal Systems (OJS) to discuss a joint Portico/LOC plug-in for OJS deposits.

**George Washington University Law Students:** Briefing on CAD mission and Section 407 to visiting GW Law students given by Stephen Want, Friday 15<sup>th</sup> November.

**OCLC:** Stephen Want, Daria Proud and Lauren Fasceski attended a presentation by OCLC on their proposed Library Services Platform (LSP) replacement tool for the Library of Congress ILS, Thursday 12<sup>th</sup> December 2019. A subsequent OCLC briefing call for CAD Acquisitions Librarians was provided on 24<sup>th</sup> July 2020.

**Personnel Management****CAD Staff**

Staff Member	Role
Stephen Want	Division Chief
Daria Proud	Assistant Chief
Sandra Barnes	Acquisitions Technician
Angela Coles	Serials Specialist
Lauren Fasceski	Acquisitions Specialist
LaTashae Fletcher	Acquisitions Technician
Terri Goff	Support Assistant
D'Andrea Hamn	Acquisitions Program Specialist

Jamaal Johnson	Technical Processing Unit Technician
Charles Lane	Technical Processing Unit Supervisor
Krystle LeBron	Support Assistant
Michael Lind	Acquisitions Specialist
Eileen Lowry	Acquisitions Specialist
Tyrell Lyles	Technical Processing Unit Technician
Tarsha Moon	Administrative Assistant to the Chief
Shawn Pearson	Serials Technician
Aaron Platte	Acquisitions Specialist
Agnieszka Pukniel	Acquisitions Technician
Edgar Raines	Technical Processing Unit Technician
Terrawn Rogers	eDeposit Technician
Rebecca Tanen	Acquisitions Specialist
Karen Van Gilder	eDeposit Team Lead
Taurica Wallace	Acquisitions Technician

**Awards:** (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Promotions:** Mr. Aaron Platte and Ms. Rebecca Tanen both received grade promotions as Acquisitions Specialists.

**Transfers:** Mr. James Barnes transferred to the Recordation Section in the Office of Public Records and Recordation.

**Details:** Ms. Agnieszka Pukniel is on a detail to the CIP program. Ms. Taurica Wallace was on a detail assignment with PIE.

**Staff Training and Professional Development:** All Division staff members completed the mandatory

training FY 2020.

The following additional training was completed by various division staff members:

- Achieving Productivity in Your Personal Life
- Administrative Staff Conference 2020
- Being a Fair and Caring Manager
- Benefits and Challenges of PDF Migration
- Career and Family Challenges for Women Leaders
- Choosing the Right Interpersonal Communication Method to Make Your Point
- Choosing the right interpersonal Skills
- Choosing to Lead as a Women
- Clear Communication
- Communicating Virtually
- Confluence setting up and Managing Space
- Confluence: Setting Up
- Confluence: Signing in & Navigating within Space
- Conquering the Challenges of Public Speaking
- Contributing as a virtual team member
- COVID-19 and Collections Care
- Create Visualizations with Qlik Sense
- Data Modeling for Qlik Sense
- Dealing with Customer Service Incidental and Complaints
- Developing a growth mindset
- Diversity Course
- Diversity Course Certificate
- Establishing Effective Virtual Teams
- Excel 2010: Getting Started
- Excel 2010: Saving and Sharing Workbooks
- Excel 2016: Custom & Conditional Formatting
- Excel 2016: Extracting Information with Formula
- Excel 2016: Formulas
- Facing Virtual Team Challenges
- Four Steps to Solving a problem
- Gaining a Positive Perspective on Feedback
- Humility is the Key to Collaboration
- LCSG/FMD Admin Training - Session I
- Leadership Advantage: Building and Leading Teams 3.0
- Leadership Advantage: Delegation 3.0
- LOC Telework Basic for Employees
- Making the time you need to get organized
- Managing Bias Certificate of Completion
- Moving Beyond Generational Difference
- MS Word 2016 SillBuilder: Bullets, Numbering, and Outlines
- MS Word 2016 SillBuilder: Headers and Footers
- Organize your Physical and Digital Workshop
- Problem Solving

Problem Solving Fundamental  
Productivity Tip: Time Chucking  
Providing On-Site Customer Service  
Results through Collaboration  
Skype for Business 2016: Organizing and Hosting Meeting  
Skype for Business: Scheduling a Skype meeting using Outlook  
The Art and Science of Communication  
The Five Stages of Gaining Control  
Time Management: The Six box List  
To Adapt change your Vantage  
Using Feedback to Improve team Performance  
Using Performance Appraisals to Advance Your Career  
Writing Emails That Get a Response

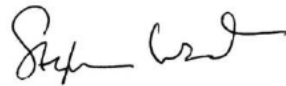
## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers. Some reviews are still pending from the previous year:

Abbeville Press  
Abrams  
Africa World Press  
American Avalanche Association  
Assouline  
Beartooth Publishing  
Big Lucks Books  
Black Lawrence Press  
Black Rose Writing  
Blue Apple Books  
Caitlin Press  
Cambridge University Press  
Curbside Splendor Publishing  
Daptone Records  
Daylight Books  
Dewi Lewis Publishing  
Dischord Records  
Eleven International Publishing  
Emerald  
Eraserhead Press  
Feminist Press  
Fence Books  
GBHEM (General Board of Higher Education and Ministry)  
Gefen Publishing House  
Georgia Museum of Art  
Gold Line Press  
Gorgias Press  
Greystone Books  
Hippocrene Books  
Hollym International  
Houghton Mifflin Harcourt  
JournalStone Publishing  
Kelsy Museum of Archaeology  
Kregel Publications  
Monkfish Book Publishing  
Ommium Gatherum  
Pace University Press  
Peter Lang Publishing  
Poisoned Pen Press

Polity Press, distributed by Wiley  
Posi-Tone Records  
Purple Toad Publishing  
Radius Books  
Rizzoli  
Rowman & Littlefield, Hal Leonard imprint  
Rowman & Littlefield, Lexington Books  
Sagging Meniscus Press  
Savas Beatie  
Southern Utah University Press  
Spring House Press  
Spuyten Duyvil  
Steel Toe Books  
Stephen F. Austin University Press  
Summit Records  
Sunbury Press  
Tales Press  
Tiny Fox Press  
Twin Lights Publishers  
University of Regina  
Unnamed Press  
Valancourt  
Walt Disney Company  
White Mane Publishing  
Wiley-Blackwell Press  
Yad Vashem Publications  
Zeig, Tucker & Theisen, Inc.  
Zoe Life Publishing  
Zoho Music  
Zumaya Publications LLC

# U.S. COPYRIGHT OFFICE ACQUISITIONS & DEPOSITS ANNUAL REPORT FISCAL YEAR 2021



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**Stephen Want**  
**Chief, Acquisitions & Deposits**  
**September 30, 2021**  
**Revised October 5, 2021**

**COPYRIGHT ACQUISITIONS DIVISION  
FY2021 ANNUAL REPORT****Executive Summary**

Fiscal Year 2021 was characterized for Acquisitions & Deposits by ongoing adjustments to COVID-19 pandemic conditions and the continuing transition in national and global publishing from print and analog to electronic formats. While publishing activity continued to be disrupted and limited by pandemic conditions, e-deposit options proved to be a viable alternative for publishers in their compliance with mandatory deposit regulations. During the Library's phased return to the office plan in FY2021 A&D maintained its in-office processing of physical items with a rotating crew of 10 employees, the remaining employees fulfilling A&D's mission from an extended telework stance.

Consequently, FY2021 saw a continuing decrease in physical deposits received and a marked increase in electronic deposits over FY2020. Such was the increase in e-deposits—particularly e-serials and e-books—that overall deposits were up 15% (517,751 items received in FY2021 vs. 495,756 in FY2020) and the value of those deposits for the national collection increased 12% (\$44.7M in FY2021 vs. \$39.9M in FY2020). The access value that special relief agreements secured and maintained by A&D brought to Library users increased by 11% (\$83.5M in FY2021 vs. \$75.2M in FY2020). Of particular note was the exponential rise in e-serial deposits pieces, up 154% over FY2020, almost doubling the volume of files received (62,249,650 files received FY2021 vs. 35,298,232 files received FY2020).

An area of concern extending from the pandemic and its effect on Library workflows, was a 41% decrease in recommendations of titles for demand received by A&D from Library Recommending Officers during FY2021. This decrease was certainly affected by the Library's launch of a new Material Acquisition Request Service (MARS), replacing the Request For Acquisition (RFA) workflow. The first version of MARS did not completely automate or integrate the process for making mandatory deposit requests, which involved some activity outside the system. Such integration is promised in a later MARS version. A&D responded by focusing on its own publisher review process, overcoming the recommendation shortfall with a 118% increase in titles demanded over FY2020.

Finally, two major legal developments were welcomed by A&D in FY2021: the judgment in favor of the US Copyright Office concerning the constitutionality of mandatory deposit in DC Superior Court; and the publication of a Final Rule concerning the mandatory deposit of e-books in November 2020 which will expand the options for acquiring this rapidly expanding publication format.



**PART I: Mission Effectiveness: Acquire Works for Library of Congress Collections****Summary of Mandatory Deposits Transferred to LC in FY 2021:**

Acquisitions & Deposits (A&D) received a total of 517,751 pieces via mandatory deposit and 407 demands, with a total value of \$44,746,432 transferred to the Library. Of these deposits, the Acquisitions section received 4,720 pieces, with a value of \$233,426. The Technical Processing Unit created 9,498 records, transferring 14,351 pieces to the Library's collection, with a total value of \$1,002,319. Deposits not requiring individual records totaled 498,680 pieces, with a total value of \$43,510,687.

**Table 1**

<b>Summary of Pieces &amp; Estimated Value of 407 Deposits Transferred to LC</b>		
	<b>Pieces Transferred</b>	<b>Estimated Value</b>
Books <sup>1</sup>	197,931	\$16,618,372
CD/DVDs	719	\$12,876
Serials <sup>2</sup>	318,428	\$28,004,424
Microforms	348	\$87,000
Motion Pictures	0	\$0
Printed music	233	\$18,405
Maps	77	\$4,592
Prints, Posters, Photographs, Works of Art	15	\$763
<b>Total</b>	<b>517,751</b>	<b>\$44,746,432</b>

**Table 2**

<b>407 Deposits: Access Value Transferred to the Library</b>		
	<b>Titles Accessible</b>	<b>Access Value</b>
e-books	9,719	\$14,721,369
e-journals	598,616	\$68,810,909
Newspaper e-prints	21	\$3,276
<b>Total</b>	<b>608,356</b>	<b>\$83,535,554</b>

**Acquiring Electronic Materials**

A&D has been involved with the eDeposit project from its beginning. In February 2010, the Copyright Office adopted an interim regulation permitting it to acquire serials available exclusively in digital format. Previously, online-only works were exempt from the mandatory deposit provision of the copyright law. The interim regulation is structured so that online-only works remain exempt from mandatory deposit until the Copyright Office, at the request of the Library, issues a demand for deposit. A&D began

<sup>1</sup> Reflects a 50% discard rate for Springer e-books due to duplicate deposits.

<sup>2</sup> Approximately 70% of \$407 serials forwarded directly from MC&A to LC Collections are kept for the collection. This discard rate is reflected in the value of work transferred.

collecting electronic serials in FY10 and newspaper e-prints in FY 2020. A new regulation to acquire e-books was also added in FY2021. A&D has continued working alongside Library Services and OCIO to develop and refine requirements for acquiring these electronic formats.

As of end FY2021 A&D has secured and maintained special relief agreements with 16 publishers. The value of materials accessible through these publishers' sites is estimated at \$83,535,554. In exchange, the publishers deposit electronic materials for their serial content. These deposits are held in a dark archive until such a time as the publisher no longer provides access. By the end of fiscal 2021, A&D had received 894,191 e-books, with 237,641<sup>3</sup> of these e-books being deposited in FY2021. Until a workflow is developed, these e-books are inventoried in CTS and secured in long-term storage. Additionally, 21 newspaper e-print titles were coming in as a part of a special relief agreement. 7,219 newspaper issues have been received in FY21 from three publishers. Serials deposited through special relief are included in the overall e-serials stats. Additional special relief agreements have been proposed to Oxford University Press and Sage Publishing. A&D is awaiting decisions from both publishers.

<b>Special Relief Agreements for Electronic Deposit Copies</b>	
<b>Publisher</b>	<b>Format(s)</b>
American Institute of Aeronautics and Astronautics (AIAA)	Serials, Standards <sup>4</sup>
American Chemical Society	Books, Serials
Anchorage Daily News	Newspaper e-prints
Berghahn Books	Serials
Brill	Books, Serials
Cambridge University Press	Serials
Emerald Publishing Group	Serials
Hindawi Publishing Corporation	Serials
Intellect Books	Serials
Law Bulletin Media	Serials
McClatchy	Newspaper e-prints
Optical Society of America	Serials
Springer Nature	Books, Serials
Taylor & Francis	Books, Serials
Times West Virginian	Newspaper e-prints
Walter de Gruyter	Books, Serials

<sup>3</sup> This figure reflects the estimated number of e-books received this year. For reporting purposes, transfer numbers will reflect a 50% discard rate of books received through the Springer feed due to duplicate deposits.

<sup>4</sup> AIAA standards are counted as books for the purpose of statistics and workflow..

As the eDeposit project has collaborated with partners across the Library. A&D has worked in concert with Library Services to review publisher catalogs and demand all eligible titles. A&D has worked with OCIO to better streamline deposit and ingest of content. This year, back end updates and better handling of system to system files for ingestion have been implemented, while others are being tested. A&D has also worked with OCIO, DCMS, and the ILS Program Office toward a workflow to ensure that content received through mandatory deposit outside of special relief agreements would be accessible in Stacks. At the end of the fiscal year, 1,660 eSerial titles could be accessed by patrons from the Stacks site. A&D continues to work with OCIO as publisher liaison for troubleshooting issues to our delivery systems, as needed.

This fiscal year, eDeposit continued to grow. A&D increased the number of serial titles demanded from 10,127 to 10,341 titles. Content has been received for 9,844 serial titles, up from 9,615. This fiscal year, 44 publishers have deposited electronic content for 7,769 serial titles. The expansion of the e-serial collection to date is illustrated in Table 3 below.

<b>Table 3</b>	<b>Summary of eSerial Receipts through §407 Copyright Deposit</b>						
	<b>FY11-FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>Total</b>
<b>Titles Demanded</b>	4,628	482	2,914	1,517	586	214	10,341
<b>New Titles Received</b>	1,674	1,755	3,750	1,877	559	229	9,844
<b>New Publishers</b>	45	9	5	11	11	7	88
<b>Issues Received</b>	33,785	79,164	69,355	98,279	55,963	141,701	441,967 <sup>5</sup>
<b>Files Received</b>	3,116,762	20,975,443	28,522,522	36,920,574	35,298,232	62,249,650	187,075,090

<sup>5</sup> Duplicates that may have been received and counted in individual years are not included in this total count.

## Productivity and Workload/Workflow

### Summary of A&D Acquisitions Activities

Table 4 below provides a summary of works acquired by A&D in response to demands for mandatory deposit. These figures do not include receipt of electronic materials.

**Table 4**

<b>Comparative Acquisitions Section Statistical Report FY 2021</b>			
	<b>FY21</b>	<b>FY20</b>	<b>% Change</b>
Titles Received	3,462	1,618	113.97%
Pieces Received	4,720	4,260	10.80%
Value of Works Received	\$233,426	\$125,636	85.80%
Registration Fees	\$4,215	\$725	481.38%
Recommendations Received	604	1,030	-41.36%
Titles Demanded	5,090	2,325	118.92%
Follow-up Actions	1,549	1,036	49.52%

The division started this fiscal year with 4 LC recommendations on hand, received an additional 604 LC recommendations throughout the year and ended the year with 23 items on hand.

**Comprehensive Publisher Reviews:** The Division's five acquisitions specialists reviewed 112 publishers, of which 50 were brought into compliance. Some of these reviews have been carried over from previous years. Because of continued difficulties due to the pandemic, demands have not been issued for all of these reviews. A list of publisher reviews conducted this year can be found in Attachment 1.

**Special Relief:** Special Relief requests were reviewed and Special Relief extended to the following publishers during FY2021:

- **American Chemical Society:** Publisher will deposit serial and book content electronically. They will also provide LC with on-site access to these works.
- **Berghahn Books:** Publisher will deposit serial content electronically. They will also provide LC with on-site access to these titles.
- **Times West Virginian:** Publisher will deposit newspaper e-print in lieu of microfilm. They will also provide on-site access to their content.

**Receiving, Recording and Transferring 407 Deposits to LC:** The Technical Processing Unit (TPU) started the fiscal year with no deposits on hand. The staff created 9,498 records for a variety of library materials received through mandatory deposit. The unit ended the year with no items on hand. In addition to making records of deposits received in the unit, the unit continues to process letters to publishers of SE/Group serials not retained for the collection.

**Serials Check-In:** Copyright serial deposits managed by the division continue to be checked in and transferred to the Library's collections faster than any other copyright serials. Serial issues are generally transferred to the collections within three (3) to five (5) days of receipt in the division. The division checked in approximately 26,644 serial issues.

**Group Registration Project:** The SE/Group registration process requires publishers to establish two complimentary subscriptions allowing the Library to receive issues at the same time as paid subscribers, thereby increasing the timeliness of the Library's receipt of thousands of serial issues. A comprehensive review of a select few publishers who consistently use the SE/Group process but fail to initiate the complimentary subscriptions yielded 738 back issues of various research and scientific journals. The subscription value savings to the Library was \$56,493. Additionally, 10 new SE/Group subscriptions were added to the Library's collection, with an estimated saving of approximately \$695.

**Serials Discard Project:** A&D sends discard letters to depositing publishers of serials the Library does not collect. This saves the Library the expense of processing discarded content, while also saving the publisher the cost of depositing content not retained in the Library's collection. This fiscal year, A&D issued 469 discard letters.

## **PART II: Program Management**

### **Publisher Outreach**

**American Chemical Society:** A special relief agreement was signed by American Chemical Society, the Library and the Copyright Office. American Chemical Society has begun depositing serial and book content in electronic format. They are still gathering back issues that had not been previously

deposited.

**Argus Media:** Lauren Fasceski and Karen VanGilder, along with Tong Wang from OCIO, met with representatives from Argus Media to discuss technical specifications for depositing their content for electronic deposit in response to a demand.

**Brill Publishers:** Brill previously signed a special relief agreement for electronic book and serial deposit. Deposit of their electronic serials is continuing. They have begun submitting e-books for deposit as well.

**Oxford University Press:** A&D comprehensively demanded OUP's e-only serial titles. A list of print and electronic titles was also sent to OUP for review toward a special relief agreement. OUP has delivered some issues for these demanded titles. A&D subsequently sent a list of additional e-only titles. OUP has not deposited content this fiscal year. A&D has continued to work with OUP toward re-establishing their deposit stream after a platform upgrade. A&D is also conducting a publisher review to see if there are any gaps in their print deposits.

**Platts:** As a follow-up to a demand for electronic serials, A&D set up check-in phone calls to work with Platts as they made updates needed to send the content to fulfill their demand. Platts deposited back issues for these titles and continues to send content as it is published.

**SAGE Publishing:** Discussions took place with SAGE Publishing concerning their deposit of electronic serials. E-only titles were previously demanded from Sage and deposits have been received and checked for compliance. A&D is awaiting additional content to complete the archival deliveries. Discussions about special relief for serials and books began in previous fiscal years, with details to be worked out in the upcoming months. Sage began depositing electronic serial content for their print serials in anticipation of a special relief agreement. Much of the recent communications with Sage has taken place through to COGC.

**Walter de Gruyter:** A&D worked with Walter de Gruyter toward re-establishing their deposit stream after a platform change. De Gruyter will participate in testing a new key-based acquisitions stream for delivering their book and serial content.

**Wiley-Blackwell:** Wiley had previously decided against requesting special relief for their book or serial deposits. A&D is conducting a comprehensive review of content that is pending deposit.

### **Outreach within the Library**

**Cross-Service Unit working groups:** Representatives from A&D meet with many different groups on a regular basis. These groups include Acquisitions and Bibliographic Access Management Team (ABAMT), Collection Policy Committee (CPC), Digital Access Working Group, eBook Working Group, LS Chiefs, Internal Content Transfer/Repository Users, Platform Services Operations group, Serials Acquisitions Group, Serials Control Advisory Board, eCollections Steering Group, Copyright Voyager Public Briefing, and USCO Public Records group.

**Copyright Office Orientation:** Daria Proud and Stephen Want provided briefings on A&D to various visiting groups.

**Increasing RFA submissions:** Stephen Want and Daria Proud continued an initiative to remind selected Library Divisions that acquisitions through mandatory deposit could replace purchasing materials, including from foreign publishers in scope for demand, to refresh their understanding of the mandatory deposit RFA workflow, and schedule training, as needed, in use of the Copyright Metasearch tool to research prospective title demands, all aimed at increasing the submission of RFAs to A&D. At the Collection Development Office's Annual Training for Library Recommending Officers in November 2020, Daria Proud provided a briefing on working with A&D to acquire materials for Library collections via copyright mandatory deposit.

**Requirements gathering for future state A&D systems:** A&D met with PMD to validate previously gathered requirement for the new Copyright Enterprise System (ECS). A&D also continued working with PMD to refine user stories for the BI Launchpad and build some initial visualizations based upon those user stories. A&D has met with members of the ILS Program Office to discuss plans for the Next Gen LCAP. A&D also participated in identifying needed updates and testing for the eCO upgrade implemented this fiscal year. Finally, A&D provided input to requirements gathering for a proposed Warehouse Management System (WMS), with a specific interest in enhancing the tracking of deposits from their dispatch to USCO, through internal USCO and Library workflows, to long term storage and retrieval.

### **Outreach with external partners:**

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Stephen Want and Karen Van Gilder, joined by Ted Westervelt and Liz Madden, continued to work with Stephanie Orphan from Portico and Alec Smecher from Open Journal Systems (OJS) to implement a joint Portico/LOC plug-in for OJS deposits. A&D has worked on testing this plugin with Indiana University Libraries. We have also begun reviewing a list of titles that are published on the OJS platform for potential upcoming demands.

### **Personnel Management**

#### **A&D Staff**

<b>Name</b>	<b>Role</b>
Stephen Want	Chief
Daria Proud	Assistant Chief
Sandra Barnes	Acquisitions Technician
Angela Coles	Serials Specialist
Lauren Fasceski	Acquisitions Specialist
LaTashae Fletcher	Acquisitions Technician
D'Andrea Hamn	ACQ Program Specialist
Jamaal Johnson	Technical Processing Unit Technician
Charles Lane	Technical Processing Unit Supervisor
Michael Lind	Acquisitions Specialist
Tyrell Lyles	Technical Processing Technician
Tarsha Moon	Administrative Assistant to the Chief
Shawn Pearson	Serials Technician
Aaron Platte	Acquisitions Specialist
Agnieszka Pukniel	Acquisitions Technician
Edgar Raines	Technical Processing Unit Technician
Terrawn Rogers	E-Deposit Technician
Rebecca Tanen	Acquisitions Specialist
Karen Van Gilder	Librarian Team Lead
Taurica Wallace	Acquisitions Technician



**Awards:** (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Promotions:** Rebecca Tanen received grade promotion as Acquisitions Specialists.

**Resignations:** Krystle LeBron and Terri Goff both ended their NTE assignments.

**Retirement:** Eileen Lowry retired as an Acquisitions Specialist after 41 years of service at the Library of Congress.

**Details:** Agnieszka Pukniel was on a detail to the CIP program.

**Staff Training and Professional Development:** All Division staff members completed the mandatory training FY 2021.

The following additional training was completed by various division staff members:

- Achieve Productivity in Personal Life
- Acting with Diplomacy and Tact
- Active Listing
- Aligning Goals And Priorities To Manage Time
- Art of Science
- Becoming an accountable professional
- Becoming More Professional Through Business Etiquette
- Business writing: how to write clearly and concisely
- Career and Family Challenges for Women Leaders
- Conflict Behaviors Application Guide.
- Confluence 101 Webinar
- Conquering the Challenges of Public Speaking
- Creating Effective Social Customer Service
- Diversity Course Certificate
- Editing and proofreading business documents
- Excel 2016: Creating, Saving and Sharing Workbooks
- Excel 2016: Getting Started
- Forging Ahead with Perseverance and Resilience
- Improving your Technical Skills
- Keeping Your Skillset Current In The Digital Economy.
- Leading Through Setting And Managing Priorities
- Make the time you need: Get Organized
- Managing Bias Certificate of Completion
- Managing pressure and stress to optimize your performance
- Managing Your Time so it doesn't Mange You

Meetings With Purpose and Energy  
Microsoft Excel 2016 Essentials: Creating a Skype Meeting in Outlook 2016  
Microsoft Excel 2016 Essentials: Creating, Editing, and Saving Workbooks  
Microsoft Excel 2016 Essentials: Formatting Data  
Microsoft Excel: Scheduling Meeting  
Microsoft Office 365: Document Management  
Mid-Career Planning for Retirement  
MS Excel 2016 Intermediate  
MS PowerPoint 2016 "Open Mic" Webinar  
MS Word 2016 "Open Mic" Webinar  
Saving and Printing Data in Excel 2013  
Skype for business - Exercise: Scheduling a meeting in Outlook  
Skype for business: Attending a Meeting  
Skype for business: Scheduling a Skype Meeting Using Outlook  
Staying Balanced in Shifting World  
Strategies for Building a Cohesive Team  
Structured Interview Training  
Take a deep Breath and Manage your stress  
The Building Blocks of Building Trust  
Troublesome words and phrases: common usage mistakes in writing  
Upgrading To Word 2010: Word 2010 Tools  
Writing Accomplishment Session (Copyright Info. Session)

## **Attachment 1**

**Comprehensive Publisher Reviews** were performed for the following publishers. Some reviews were carried over from the previous year:

Abbeville Press  
Able Muse Press  
Abrams  
Africa World Press  
American Avalanche Association  
American Chemical Society  
Argus Media  
Assouline  
Beartooth Publishing  
Big Lucks Books  
Black Lawrence Press  
Black Rose Writing  
Bloof Books  
Blue Apple Books  
Bootstrap Press  
Caitlin Press  
Cambridge University Press  
Coach House Books  
Cozy Cat Press  
Curbside Splendor Publishing  
Daptone Records  
Daylight Books  
DENPA  
Dewi Lewis Publishing  
Dischord Records  
Dryad Press  
Eakin Press  
Eleven International Publishing  
Elixir Press  
Emerald  
Eraserhead Press  
Evening Post Books  
Feminist Press  
Fence Books  
Firefly Books, LTD  
Franciscan Institute Publications  
GBHEM  
Gefen Publishing House  
Gingko Press

Gold Line Press  
Golden Horn Records  
Green Lantern Press  
Gregory R. Miller and Company  
Greystone Books  
Guggenheim Foundation  
H & H Publishing  
Health Administration Press  
Hippocrene Books  
Hollym International  
Houghton Mifflin Harcourt  
Igneus Press  
In a Circle Records  
Industrial Press, Inc.  
Interlink Books  
JournalStone Publishing  
Kaya Press  
Kehot Publications  
Kelsy Museum of Archaeology  
Kregel Publications  
Levine Querido  
Mandel Vilar Press  
Monkfish Book Publishing  
Mosaic Press  
Nightboat Books  
Nightscape Press  
Noemi Press  
Nomadic Press  
Ommium Gatherum  
Palmetto Records  
PANK  
Paul Dry Books  
Pepperdine Libraries  
Persian Heritage Foundation  
Poisoned Pen Press  
Polity Press, distributed by Wiley  
Polyvinyl records  
Posi-Tone Records  
Purple Toad Records  
Radius Books  
Rizzoli  
Rowman and Littlefield, Hal Leonard imprint  
Rowman and Littlefield, Lexington Books  
Sagging Meniscus Press

Savas Beatie  
Scrambler Books  
Seaworthy Publications  
Sheffield Pheonix Press  
Signature Sounds Records  
Silman-James Press  
Skyhorse Publishing  
Southern Utah University Press  
St. Vladimir's Seminary Press  
Steel Toe Books  
Steiner Books  
Stephen F. Austin University Press  
Sunbury Press  
Sussex Academic Press  
Tales Press  
TeleGeography  
Twin Lights Publishers  
TwoMorrows Publishing  
University of Regina  
Unnamed Press  
Valancourt  
Walt Disney Company  
White Mane Publishing  
Wiley-Blackwell Press  
Yad Vashem Publications  
Zed Books  
Zeig, Tucker & Theisen, Inc  
Zoe Life Publishing  
Zumaya Publications LLC